1953.

**File No.** Est. II C.C./53

Legal Deptt

C **BRANCH**

**Subject:—** Leave and Appointments of the staff of the Office of the Charity Commissioner

P. 1963/E

**File No.** Est. II C.C./53

Gen. 194

CONFIDENTIAL.

No. 7o
Office of the Charity Commissioner,
Bank of India Building, 4th Floor,
Flora Fountain, Fort, Bombay No.1.
11th June 1962.

From

Shri D.D.Pradhan, I.C.S.,
Charity Commissioner, BOMBAY.

To

The Secretary to Government,
Legal Department, BOMBAY.

Sir,

I have the honour to state that Shri K.B.Trivedi,B.A., Superintendent, in the Office of the Deputy Charity Commissioner, Ahmedabad, superannuates on 23-11-1962, his birth date being 23-11-1897. He joined the Charity Commissioner's Organization at Ahmedabad on 6-1-1962 prior to which he was working as a Head Clerk and Criminal Superintendent, District Court, Nadiad, on Rs.170/- in the scale of Rs.100-8-140-10-170. His present pay is Rs.180/- P.M. in the grade of Rs. 160-10-230. Shri Trivedi's appointment in the Charity Commissioner's Organization is on probation for a period of one year from the date of actual appointment.

2. On the application of the Bombay Public Trusts Act, 1950, the Office of the Deputy Charity Commissioner, Ahmedabad, was newly created in January 1962. The initial work has recently started and it is desirable that an experienced hand like Shri Trivedi should be continued for the proper functioning of the office. As this Organization is in its infancy, it is necessary that the services of a person of his type with a long and varid experience in the Judicial Department to his credit should be available for some months more. The Deputy Charity Commissioner, Ahmedabad, has stated that Shri Trivedi is not only efficient, intelligent, honest and hard working, but is also physicall fit to attend to his duties efficiently. I may also mentio that the present Deputy Charity Commissioner at Ahmedabad is himself a retired person and his appointment has been

sanctioned by Government for a period of one year with effect from 20-1-1952. It will therefore be in the interests of the Organization to continue Shri Trivadi upto 31-3-1953 so that the new Deputy Charity Commissioner when appointed will find it easier to handle the affairs of the regional office. The pay and allowances of Shri Trivedi are initially debited to the budget head "25-Genegal Administration-E-District Admn.- Q-Genl.Estts.-Q.1(c)-Regional Staff of the Charity Commissioner" and reimbursed to Government from the Public Trusts Administration Fund at the end of each financial year. The leave and pensionary charges are also met from the Public Trusts Administration Fund. There will thus be no extra cost to Government.

3. Although the proposal to grant extension to Shri Trivedi is strictly speaking contrary to the present policy of Government, I would recommend it in view of the peculiar circumstances referred to in para 2 above. I have therefore torequest you kindly to grant extension of service to Shri Trivedi on public grounds for a period upto 31-3-1953, under B.C.S.Rule 162.

Yours faithfully,

Charity Commissioner.
10/6/52.

/GP. 5-8-56.

Legal Deptt.

Submitted.

This is a proposal from the Charity Commissioner Bombay recommending Govt. extension of service to Shri Trivedi - Supdt. in the Office of t he Dy. Charity Commissioner, Ahmedabad Region - on public grounds upto 31st March 1953.

2. Attention is invited to L.D.,G.R.No.8599, dated the 14th May 1951 from which it will be seen that for Ahmedabad Region the following posts have been sanctioned :-

One Supdt. on 160-10-230

One Accountant on 140-10-170

Three Inspectors on 140-10-170

Two Senior Clerks on 100-8-140

Three Junior Clerks on 46-3-85 E.B.4-125-5-130.

Before dealing with the merits of the case the Charity Commissioner may be requested to state whether all the above posts have been filled in. H.C. may also be requested to forward to this Deptt. a statement showing the names of persons in the Ahmedabad Region holding the various posts, their length of service and pay.

Id/-
26/6
S. S.

Id/-
26/6
A. S.(Admn.)

U.R. To Charity Commr., Bombay No.609-Confl.,
dated the 28th June 1952.

H.D.P.
2/8/52

S.C.

Office of the Chrity Commissioner, Bombay.

Submitted with reference to the L.D. note on page 3 ante.

2. It may be noted that all the Class III posts sanctioned for the P.T.R.Office, Ahmedabad, have been filled up. A statement shewing the names of persons holding these posts, their length of service and pay etc., has been prepared and put up at page 7 ante. The same may be sent to the L.D. as desired.

3. From the L.D. note it appears that that department wants to consider the question whether the post of Superintendent can be filled in by promotion from among the subordinates in the regional office. In this connection, it may be observed, that the question of seniority of Class III servants has not yet been settled. Moreover, persons from other regional offices are also liable for a transfer to the Ahmedabad office. The information contained in the statement may not therefore be much useful.

4. The papers may be returned ~~him~~ to the L.D. with the above remarks.

Id/-

30/6

R.D.P.
2/8/56

S.C.

STATEMENT showing the details of the staff employed in the Public Trusts Registration Office,

AHMEDABAD.

| Posts. | Pay scales. Rs. | Present pay Rs. | Names of persons appointed, | From which establish - ment | Post held prior to absorption in this organization. | No. of years of service. |
|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| Superintendent | 160-10-230 | 180 | Shri N.D.Trivedi | Kaira District Court. | Head Clerk, Dist. Court, Nadiad. | 27 years. |
| Accountant | 140-10-170 | 140 | Shri N.D.Desai. | Fund Employee, Kaira. | Wakf Clerk. | 6 years. |
| Inspector | 140-10-170 | 140 | Shri U.M.Pandya | District Court, Kaira. | Senior Clerk, Dist. Court, Nadiad. | 17 years. |
| Inspector | 140-10-170 | 140 | Shri S.T.Patel | District Court, Surat. | Correspondence Clerk | 12 years. |
| Inspector | 140-10-170 | 140 | Shri B.V.Desai | District Court, Surat. | Accounts Clerk. | 12 years. |
| Senior Clerk. | 100-8-140 | 100 | Shri J.K.Deriwala | District Court, A'bad. | Junior Clerk. | 10 years. |
| Senior Clerk. | 100-8-140 | 100 | Shri S.D.Parab | - De - | Junior Clerk. | 11 years. |
| Jr. Clerk. | 43-3-85-E.B. 4-125-5-180. | 73 | Shri S.M.Purohit | Fund Employee, A'bad. | Wakf Clerk. | 15 years. |
| Jr. Clerk | - De - | 55 | Shri Y.I.Patel | - De - | Junior Clerk. | 8 years. |
| Jr. Clerk. | - De - | 61 | Shri G.M.G.R. Shaikh | Fund Employee, Branch. | Clerk. | 2 years. |

R.D.P. 2/8/56
S.C.

Legal Department.

Submitted.

The proposal in these papers is to grant extension of service to Shri Trivedi, Supdt. in the office of the Dy.Charity Commr.,Ahmedabad Region on public grounds upto 31st March 195[illegible] The Charity Commr.,Bombay was, requested in the first instance to furnish information in respect of the staff engaged in the Dy.Charity Commissioner's office, Ahmedabad Region. The requisite information has since been received.

2. The grounds on which the extension to Shri Trivedi is recommended are mainly --

(1) The Charity organisation is in infancy and that it is necessary to have an experienced hand[illegible]

(2) The present Dy.Charity Commr. at Ahmedabad is a retired person and has been appointed only for a period of one year i.e. upto 20-1-53,and that therefore new Dy.Charity Commr. will find it easier to handle the affairsof the office.

(3) There will be no extra cost to Govt. since the expenditure is to be debited to the Public Trusts Administration Fund.

3. Rule 165A of the B.C.S.Rs. states that a Govt. servant may be retained in service after he attains the age of 55 years only with the previous sanction of Govt. on public grounds, which must be recorded in writing. It is the policy of Govt. to grant in as few cases as possible such extensions. It is true that the Charity organization is in its f infancy. It may also be true that Shri Trivedi has long and varied experience in judicial service. But these grounds are not enough to grant extension Shri Trivedi. Just as Shri Trivedi has long experience in Judicial Deptt. so also there are other persons who are working in the office of the Dy. Charity Commr. at Ahmedabad who have got sufficient service at their credit to take Shri Trivedi's place. In this connection attention is invited to the statement at p. 7 ante. A perusal of that statement will show that there are three persons who have put in more than 12 years service in the Judicial Deptt. and have acquired sufficient experience of office work. Shri Pandya, Shri B.T.Patil and Shri Desai are working at present as Inspectors. Shri Pandya has put 17 years service and the other two 12 years. Shri Pandya, prior to his

appointment as Inspector in the Charity Organisation. was senior clerk in the District Court at Nadiad and there is no reason to suppose that he shall not be able to carry on the duties of the Supdt. vice Shri Trivedi if appointed. Although the present proposal is to grant the extension to Shri Trivedi only till 31-3-1953 there is bound to be further proposal for extension of one year. The new Dy.Charity Commr. who will take place of the present one is bound to make out a case for extension on the ground that he is new and that Shri Trivedi is extremely helpful and that therefore extension should be granted. It may also be taken into consideration that by giving extension to Shri Trivedi, two others below him, are put to financial loss. There is therefore no justification in granting extension to Shri Trivedi. The argument put forth by the office of the Charity Commr. that persons from other regional offices are also liable for a transfer is also not convincing. Till a suitable person to take place of Shri Trivedi is found from the other regional offices, Shri Pandya can be appointed to officiate. It is true that by giving extension to Shri Trivedi no financial burden is thrown on the State but there is no reason why suitable arrangements as suggested above should not be made instead of relying on one man. There is no body indispensiable in Govt. service. In view of the facts stated above it does not appear even to consider the question of reemployment of Shri Trivedi.

4. If approved the Chrity Commr. May be informed that no extension to Shri Trivedi can be granted and that pending a suitable person from other regional offices, is made available to take place of Shri Trivedi, Shri Pandya the Inspector may be appointed to officiate vice him.

In view of " A " above action may be taken as proposed in para 4 above.

Id/- 5/7/52

R.D.P.
1/8/56
S.C.

When Inspector and Senior Clerks with Court experience of over ten years are available on the Dy.Charity Commr's establishments, there is little justification for giving extension to Shri Trivedi for orders.

Id/- 5/7

I have discussed this case with the Charity Commissioner. His main anxiety is to ensure continuity of administration for the Ahmedabad Region. Shri Trivedi is due to retire on 23-11-52 and the Deputy Charity Commissioner himself will vacate office on 20-1-53. The Charity Commissioner thinks that in the interest of efficiency of administration, particularly of this new organisation, it is necessary to have an experienced superintendent at least for some time until the new Deputy Charity Commissioner becomes familiar with the work of the Region. That appears to me a reasonable request particularly when extension is recommended only for four months. i.e., from November end to March end. The new Deputy Commissioner should be able to acquaint himself with the office problems of the Region within the course of two months or so from his appointment in January 1953. I am, therefore, inclined to support the recommendation. The papers may be shown to F.&S.D. and F.D.

Sd/ P.M.Lad.
17/7

XXXXXXXXXX

U.M.R. to P. & S.D./F.D. No.692-Confl.,
dated the 18th July 1952.

Fin. Deptt (E)

Seen and returned to the L.D. with concurrence in the view expressed in the P. & S.D. note of 19-7-52 overleaf. The pay during reemployment should be fixed in accordance with the rules (i.e. substantive pay last drawn minus pension).

Sd/
31/7/52.

U.O.R. to the L.D dt. 1-8-52
(with a copy of G.R.L.D. of 20-6-52)

No. 13330
Legal Department,
Bombay Castle(Bombay No.1) 14th August 195

To

The Charity Commissioner, Bombay.

Subject:- Extension of Service to Shri R.D. Trivedi, Supdt. in the office of the Charity Commissioner, Ahmedabad.

Sir,

With reference to your letter No.78, dated the 11th June 1952 I am directed to inform you that Government in the Political and Services Department and Finance Deptt are not agreeable to the grant of extension of service to Shri R.D. Trivedi as proposed by you. They have, however no objection to his re-employment till 31st March 195 I am therefore to request you to accept the advice of P.&.S.D. and F.D.

Yours faithfully,

for Secretary to Government.

VGP. 3-8-56.

No. 3189 of 1952.
Office of the Charity Commissioner
Bank of India Buildingk, 4th Floo
Flora Fountain, Fort, Bombay No.1.
Dated : 29th September 1952.

OFFICE OR..R.

Shri R. D. Trivedi who attains the age of superannuation on 23rd November 1952, is re-employed as Superintendent, Public Trusts Registration Office, Ahmedabad, on a salary equal to his retiring pay minus pension with effect from 23rd November 1952 to 31st March 1953 (both days inclusive). The re-employment is sanctioned on public grounds and in a purely temporary capacity.

Sd/
Charity Commissioner,
Bombay.
27/9

Copy forwarded with compliment to:-

(1) The Legal Department with reference to G.L.L.I No. 13330, dated 14th August 1952.

(II) The Deputy Charity Commissioner, Ahmedabad.

(III) The Treasury Officer, Ahmedabad.

(IV) Shri R. D. Trivedi.

VGP. 3-8-56.

No. 1236
Office of the Charity Commissioner,
Bank of India Building, 4th Floor,
Flora Fountain, Fort, Bombay No.1.
18th March 1953.

OFFICE ORDER No. 29

In partial modification of this office order No.22 dated 29-9-1952, Shri R.D.Trivedi is re-employed as Superintendent, Public Trusts Registration Office, Ahmedabad, for further period of one month from 1st April 1953 to 30th April 1953. He should draw his pay equal to his retiring pay minus pension. The re-employment is sanctioned on public grounds and in a purely temporary capacity.

Sd/
Charity Commissioner,
Bombay.
18/3/53.

*****

Copy forwarded with compliments to :-

1) Secretary to Government, Legal Department, Bombay.

2) The Deputy Charity Commissioner, Ahmedabad, with an intimation that officiating arrangement vice Shri Trivedi from 1-5-53 will be made subsequently after interviewing the Inspectors & Accountants in the Public Trusts Registration Offices at Ahmedabad and Baroda.

3) The Treasury Officer, Ahmedabad.

4) Shri R.D.Trivedi, B.A. Superintendent, P.T.R.Office, Ahmedabad.

VGP. 3-8-56.

No. 389/C-Confl.
Legal Department,
Bombay Castle, (Bombay No 1.)
28th March 1953.

To
The Charity Commissioner,
Bombay.

Subject:- Extension of period of Service of Shri R.D. Trivedi, Superintendent in the office of the Deputy Charity Commissioner, Ahmedabad.

Sir,

With reference to your office order No. 29 forwarded wi your No. 1236, dated the 18th March 1953, on the above subject, I am directed to invite your attention to the correspondence ending with this Department letter No. 13330, date the 14th August 1952, and to request you to be so good as t explain the circumstances under which the order for extendi n; the period of re-employment of Shri Trivedi beyond 31st March 1953 was issued without consulting this Department.

Yours faithfully,

for Secretary to Government.

VGP. 3-8-56.

CONFIDENTIAL.

No. 32
Office of the Charity Commissioner,
Bank of India Building, 4th Floor,
Flora Fountain, Fort, Bombay No.1.
31st March 1953.

From

Shri D.R.Pradhan, I.C.S.,J.P.,
Charity Commissioner,Bombay.

To

The Secretary to Government,
Legal Department, Bombay.

Subject: Extension of period of service of Shri R.D.Trived Superintendent, P.T.R.Offi Ahmedabad.

Sir,

Reference your Confidential letter No. 389/C, dated 28-3-1953.

2. I have the honour to state that under this offic order No.29 forwarded to you with this office No.1236 dated 18-3-1953, Shri R.D.Trivedi is re-employed as Superintendent, Public Trusts Registration Office, Ahmedabad, for a further period of one month from 1-4-53 to 30-4-1953. His re-employment has been sanctioned on public grounds and in a purely temporary capacity. In this connection, I have to invite attention to Note 3 below S.C.S.Rule 330(b) under which Heads of Departments are authorised to re-employ pensioners, subject to the conditions mentioned in the rule, in posts to which they are competent to make appointments. The Charity Commissioner has been declared as a Head of Department and as such he is competent to make appointment to non-gazetted posts in the Charity Commissioner's Organisation. Under Section 69A of the Bombay Public Trusts Act, 1950., the subordinate officers in the Organization are the servants of the State Government and they draw their pay and allowances from the Consolidated Fund of the State. Shri Trivedi's appointment is not under a local fund and the case of his re-employment does not seem to be covered under Note 1 below B.C.S.Rule 330(b).

3. The Deputy Charity Commissioner, Ahmedabad, had certified that Shri Trivedi was physically fit to discharge his duties and added his work as Superintendent was found to be entirely satisfactory. He had, therefore, ~~found to be entirely satisfactory. He had, therefore,~~ recommended that Shri Trivedi might be re-employed for a further period of one year i.e. from 1-4-53 to 31.3-54. He had intimated to me that it would be absolutely necessary to continue Shri Trivedi on public grounds.

4. In these circumstances, I have sanctioned the re-employment of Shri Trivedi for a further period of one month only from 1-4-53 to 30-4-53 on public grounds and in a purely temporary capacity. I propose to interview the Insepectors/and Accountants in the Public Trusts Registration Offices at Ahmedabad and Baroda during the few course of this week with a/view to ascertaining their suitability for promotion to the post of Superintendent vice Shri Trivedi from 1-5-53. Incidentally, I am to add that in my letter No.78 dated 11-6-1952 I had recommended to Government that Shri Trivedi might be granted an extension of service, but the proposal was not accepted by Government vide G.L.L.D. No. 13330 dated 14-8-52. It is presumed that for such re-employment for a period of less than one year, it does not seem necessary to obtain Government sanction.

Yours faithfully,

Charity Commissioner.
30/3/53.

S.A.S.

From para 3 of the Charity Commr.'s letter No.78 Confl. dt. 11-6-52, it will be clear that he approached Legal Department for grant of extension of service to Shri Trivedi for a period upto 31-3-1953 because to quote his words, "the proposal to grant extension to Shri Trivedi is strictly contrury to the present policy of Govt." It was because of this policy of Government that the sanction of Government in the P.&.S.D. had to be obtained for extending the period of service of Shri Trivedi. The P. &.S.D. was not agreeable to grant him extension of service, but suggested that Shri Trivedi should be re-employed for the period in question. Accordingly, in this Deptt, letter No.13330 dt. 14-8-52 the Charity Commissioner was informed in clear terms that Government in the P. &.S.D. and F.D. were not agreeable to the grant of extension of ~~xxxx~~ service to Shri Trivedi but they had not objection to his re-employment till 31-3-1953. The orders of re-employment from 23-11-52 to 31.3.53 were issued by the C.C. on 29-9-52. The period of re-employment was, however, subsequently extended upto 30-4-53 by C.C.'s order dated 18-3-53, without consulting Government. The C.C. was, therefore, asked to state the circumstances under which the period of re-employment of Shri Trivedi was extended ~~w~~ithout consulting Govt. In his letter No.32 Confdl. dt 31-3-53, the C.C. states that as he is declared the Head of the Department under Note 3 below rule 330 of B.C.S.Rs. he was competent to extend the period of re-employment. There is no question of dispute about his power to re-employ a pensioner in view of Note 3 below rule 330 of B.C.S.Rs. What is material is that as in this

Government in the P. &.S.D. and F.D. had sanctio ned Shri Trivedi's re-employment upto 31-3-53 the C.C. should have obtained Government orders for further extension of the period of re-employme of Shri Trivedi upto 30-4-53. The papers may be shown to P. & S.D.

Secy. We may get the formal approval of P.&.S.D.

Sd/ P.M.Lad.
13/

U.O.R. to the P. &.S.D. No. 8020/C dt. 14-4-53.

Seen and returned to the L.D.

The power of Adll. Deptts. to re-employ super annuated persons is not absulute and has not been subjected to restrictions under orders issued by the ~~XXXXXXX~~ F.D. Re-employment or superannu ated persons cannot be effected at a matter or rout routine but only to exceptional circumstances and on Public Grounds. Govt has to be subsidied about the justification for such re-employment and therefore necessary that all, such cases should be referred to it and its ~~sanctioned.~~ obtained.

3. Of months extension of the re-employment period may be ~~deemed~~ agreed to the case as recommended by the L.D. through F.D.

F.D.
U.O.R. to L.D. dt. 16/4/53.

Legal Deptt.
R.I.No. 9313
18-4-53.

These papers may be forwarded u.o. to the F.D. as they are meant to be returned to this Department through the F.D.

Sd/
20/4

Sd/
20/4 F.D. may see.

S.A.S. Sd/
20/4

U.R. to the F.D. No. 9381/C, dated the 21-4-53

Finance
Legal Department.
R.I.No. 9613-dt. 16-4-53
P&S.D.

As regards Para 2 of Press Note dt. 16-4-53 it may be stated that under Note 3 below B.C.S.R. 330 Heads of Deptts, are empowered to re-employ pensioners in posts (other than posts appointments to which are gazetted) to which they are competent to make appointments. The power is however restricted in that they can re-employ pensioners subject to the conditions mentioned in the rule. ~~The conditions are those mentioned in the rule.~~ The conditions are those mentioned in the proviso. The term "full pay" occurring therein has been interpreted to mean "the presumptive starting at the minimum of the time-scale of the post ~~xx~~ in which a pensioner is re-employed. It is also ruled in the past that pay on re-employment plus pension should not exceed the substantive pay drawn before retirement as well as the maximum of the time-scale of the post in which a pensioner is re-employed. Subject to these requirements the Charity Commr. can re-employ a pensioner in a non-gazetted post to which he is competent to an appointment.

2. As for the specific case of Shri. T, since Govt. had agreed to re-employ Shri. T. for a definite period upto 31-3-53 only it was incumbent on the C.C. to obtain prior approval of Govt. for extending the tenure by a month. This may be made clear to the C.C. In the circumstances of the case F.D. may agree to the formal approval being given to the extension of the tenure.

VGP. 3-8-56.

No. 11973/C
Legal Department,
Bombay Castle, (Bombay No.1), 29th May 1953.

To
The Charity Commissioner,
Bombay.

Subject:- Extension of period of service of Shri R.D. Trivedi, Superintendent, P.T.R. Office, Ahmedabad.

Sir,

With reference to the correspondence ending with your letter No. 32 dated the 31st March 1953 on the above subject, I am directed to state that since Government agreed to re-employ Shri Trivedi for a definite period i.e. upto 31st March 1953, it was incumbent on your to obtain prior approval of Government extending his tenure by a month However, in the circumstances of the case, Government accords formal approval to the extension of the tenure upto 30th April 1953.

Yours faithfully.

Assistant Secretary to Government.

VGP. 3-8-56.

Office of the Charity Commissioner, Bombay.

The present incumbent of the gazetted post of Establishment Officer in the scale of Rs.650-50-950 in this office is due to retire on superannuation from 5th April 1953. For sometime past, the question of down-grading the Establishment Officer's post on the retirement of the present incumbent is under my consideration. This is essential with a view to effecting maximum reduction in expenditure without detriment to efficiency. I propose to submit the following proposals

2. The post of Superintendent (Accounts) originally created in lieu of the Gazetted post of the Director of Accounts is sanctioned upto 31st March 1953. The appointment of the Director of Accounts has since been made with effect from 28-2-1952. The following duties are attached to the post of Superintendent(Accounts) :-

i) Preparation of budget estimates, revised estimates, supplementary demands, and allotment and distribution of budget grants;

ii) Attending to queries relating to Chartered Accountants, other individuals and trustees;

iii) Investment of P.T.A.Fund balances. Reimbursement of expenditure incurred by the Organization to Government from the P.T.A.Fund;

iv) Amendment of the Act and the Rules so far as they relate to accounts;

v). Suggestions to Public Trusts Registration Offices in respect of maintenance of accounts registers and books.

vi) Assisting the Director of Accounts in the matter of periodical inspections of the Public Trusts Registration Offices;

vii) Instructions for the operation of the P.T.A. Fund;

viii) Proposals regarding additional establishment or retrenchment;

ix) Promotions, transfers and leave of the subordinate staff;

x) Questions regarding service conditions, such as fixation of pay, seniority and grant of annual increments, etc;

xi) Furniture and stationery requirements of the Charity Commissioner's Office and the six Public Trusts Registration Offices;

xii) Important correspondence with Government.

3. The Bombay Public Trusts Act, 1950, has been applied to public trusts in the State with effect from 21-1-1952. So far about 47,000 trusts have applied for registration. Till now the Deputy and Assistant Charity Commissioners have held inquiries in respect of about 13358 applications and these have been ordered to be brought on the register of public trusts. These trusts are expected to submit the annual accounting returns to the Regional Deputy & Asstt. Charity Commissioners. These will be the first accounting returns under the Act and will have to be very carefully scrutinised for the purposes of assessment of contributions to the P.T.A.Fund. No doubt the scrutiny work will be attended to by the staff in the P.T.R. Offices. However, the staff is new to this job and will have to be given proper guidance and instructions. The work of assessment and collection of contributions is one of the most important work of the Organisation. It is also proposed to undertake a percentage check of the accounting returns scrutinised by the regional staff. For all this work, it would be desirable

desirable to give the Director of Accounts the assistance of the Superintendent (Accounts).

4. Rules for the custody & investment of moneys credited to the P.T.A. Fund and for the disbursement and payments from that Fund are under preparation. The question of authorisation of persons to audit the accounts of small trusts under Sec.33(2) of the Act is separately under consideration. It will be desirable that the post of Superintendent(Accounts) may be continued further.

5. Shri Bapat, officiating Senior Asstt. in the Finance Department, and whose services have been temporarily loaned to this office with effect from 1-2-51, has been found to be very useful to the Organization. He is well conversant with the noting and drafting work, and has the experience of budget and establishment matters. His services will be necessary in assisting the Director of Accounts in the work of compilation of the Account Code for the Organization. It is also proposed to prepare and get printed a small booklet containing instructions to the trustees as to the manner in which the accounts are required to be maintained and submitted.

6. I understand that Shri Bapat had worked in the Revision of Pay Scales Branch, the establishment and the budget branch, and in one of the Retrenchment Branches of the Finance Department. The question of recognition of the past services of the Fund Employees in the Charity Commissioner's Organization is likely to be finalised shortly. Thereafter, it is necessary to take up the question of fixation of seniority and preparation of graduation list. This is a somewhat tough

question and would require an experienced person. The experience of Shri Bapat in the Finance Department would be useful for tackling these & other questions relating to establishment.

7. A permanent Gazetted post of an Establishment Officer in the scale of Rs.650-50-950 has been created for the Organization. The Establishment Officer has to look after the entire establishment under the Charity Commissioner, their salary, T.A. bills, lawyer's bills, promotions, transfers, etc. The present incumbent of this post has been on leave for three months since 28-12-1952. He is expected to resume his duties on 28th March 1953 and is due to retire on superannuation on 5th April 1953. The Organization has now been fairly well established on a sound footing and in my opinion it is not necessary now to have a post on a high pay-scale of Rs.650-50-950. Since 28th December 1952, the Establishment Officer has proceeded on leave and I have not proposed any officiating arrangements in this leave vacancy as I wanted to ascertain whether there is any need or justification to maintain this post at all. I have distributed the Establishment Officer's work among the Director of Accounts, the Asstt. Charity Commissioner, the two Superintendents and myself. The entire establishment and stationery work has since been assigned to the Superintendent (Accounts). As a result of the experience that I have gained so far, I have come to the definite conclusion that there is practically no need for the continuance of the post of Establishment Officer. It is possible to combine the Establishment Officer's post and the temporary post of Superintendent(Accounts) into one permanent post

to be designated as Superintendent(Accounts & Establishment) and to entrust the entire establishment work to this new post. I may add here that while submitting the original proposals for the creation of the Organization, my predecessor has hinted that after a couple of years it would be possible to down-grade the Establishment Officer's post.

8. The scale attached to the post of Superintendent(Accounts) is Rs.275-15-350. The post has been created from 1-2-1951 and Shri Bapat, officiating Senior Assistant from the Finance Department has been deputed to hold it. As I have already pointed out, Shri Bapat has the experience of establishment and budget matters and it would be desirable to retain him permanently in the Organization. The pay-scale attached to the post of Superintendent in my office is Rs. 300-20-500. In view of the fact that the new post of the Superintendent (Accounts & Estt). which is porposed to be created will involve considerably responsible duties, it is essential that the post should have a higher scale than Rs. 300-20-500. In fact, most of the duties at present attached to the Gazetted post of Establishment Officer will have to be shouldered by the Superintendent (Accounts & Estt). Shri Bapat's present pay is Rs.305/- p.m. plus Rs.70/- dearness allowance, in all Rs.375/- per month. He has already put in 15 years' service in the Finance Department and has still about 21 years' service to his credit. His experience in the Finance Department is bound to be useful to this newly set up Organization. In these circumstances, I would recommend that the post of Superintendent (Accounts & Estt) may be in the scale of Rs.360-20-600 this is the lower part of the standard scale of Rs.400-20-600. The scale of Rs.360-20-600 (which

compares favourably with the scale of Rs.320-20-440 and Rs.475-25-600 attached to the posts of Junior & Senior Superintendents respectively in the Secretariat) may be a city scale carrying no other allowances except the dearness allowance.

9. In view of the facts fully stated above, I request that-

i) the temporary post of Superintendent(Accounts) may be continued upto 4-4-1953;q

ii) the permanent gazetted post of Establishment Officer and the temporary post of Superintendent (Accounts) may be combined into a permanent - non-gazetted post of Superintendent (Accounts & Establishment) in the scale of Rs.360-20-600. with effect from 5-4-1953, the date on which the present substantive holder of the permanent - Establishment Officer's post retired on superannuation: and

iii) the services of Shri Bapat may be permanently placed at the disposal of this Organization with effect from 5-4-1953.

10. One post of a class IV servant is attached to the gazetted post of Establishment Officer. On the discontinuance of the - Establishment Officer's post and its down-grading into non-gazetted post of Superintendent(Accounts & Estt), this Class IV post would not strictly be admissible under the revised orders of Govt. issued in G.R.F.D.No.7983/33, dated 20-5-52. The number of existing non-gazetted Class III establishment is 17 and the number of Class IV servants admissible to non-gazetted establishment is two under the above referred to orders. However, the ministerial work relating to charitable endowments recently taken

over from the Accountant General, Bombay, the service of one Class IV servant are exclusively necessary. The Class IV servant has (i) to effect local delivery of cheques representing payment of interest to administrators, (ii) to bring bank drafts from the Reserve Bank of India, (iii) to take money orders to the post office (iv) to receive cheques from Bombay Port Trust in respect of Port Trust Bonds, and (v) to go to the Bank frequently to credit the amount of interest into Govt. account. The number of local payments is about 374 by cheques 350 by money orders and 440 by drafts. Moreover, when the work was attended to by the Accountant General's office, a special post of a Class IV servant was entertained. The other two Class IV servants are required for delivery work, for going to Accountant General's office in connection with bills for encashment of cheques in the Reserve Bank and for all other sundry duties. In view of the foregoing reasons, the Class IV post attached to the Establishment Officer may be retained. There are two temporary posts of Class IV servants sanctioned for this office upto 30-6-53 and I shall then justify in detail the need for the retention of this post as well while moving for the continuance of the two temporary Class Class IV posts beyond 30-6-53.

11. These proposals will result in an annual average saving of Rs. 8,288, as indicated below:

| | Average monthly cost Rs. | D.A. Rs. |
|---|---|---|
| Establishment Officer's post (Rs. 650-50-950) | 870 | 100 |
| Superintendent (Accounts) - (Rs.275-15-350) | 331 | 70 |
| | 1201 | 170 |

| | Average monthly cost Rs. | D.A. Rs. |
|---|---|---|
| | 1201 | 170 |
| **Less** - | | |
| Superintendent (Accounts & Statt)- (Rs. 360-20-600) .... | 512 | 85 |
| | 689 plus | 85 |
| | = 774 p.m. | |
| | x 12 | |
| | Rs. 9,288/- | |

12. It is requested that the proposals made in phrase 9 on. 10 above may be approved and sanctioned at an early date as the present sanction for the temporary post of Superintendent(Accounts) expires on 31-3-1953 and the present Establishment Officer retires on superannuation on 6-4-1953. There will be no extra cost to Government, because provisions for the post of Establishment Officer and the temporary post of Superintendent(Accounts) have already been proposed and included by me in the Budget Estimates for 1953-54. The expenditure on account of the cost of Charity Commissioner's establishment etc. is met from the P.T.A.Fund and not from the State Contingency Fund.

Sd/-
Charity Commissioner.

Secy L.D.

Secy. F.D.

Legal Department.
R.I.No. 319-Confl.
16-3-1953.

Submitted with pp.

2. This is a proposal from the Charity Commissioner Bombay, to -

(1) continue the post of the Supdt.(Accounts) from 1st to 4th April 1953; and

(2) with effect from 5th April 1953, to down grade the grade of Rs.650-50-950 into that of the ~~the~~ post of the Establishment Officer in the Supdt. (Accounts and Estt.) in the grade of Rs.360-20-600.

3. The post of the Supdt. (Accounts) was created in the grade of Rs.275-15-350 for a period of two months with effect from 1st February 1951, in lieu of an until the post of the Director of Accounts was filled in. Although the post of Director of Accounts was filled in with effect from 28th February 1952, the said post of Supdt. was continued from time to time till 31st March 1953. The post is now proposed to be made permanent with some additional duties and on a higher pay scale and the same individual is propose to be retained.

4. From the perusal of list of duties attached to the post of the Supdt. (Accounts) it appears that practically all the important account work of the Charity Organization is attached to the Supdt. (Accounts) even though there is highly qualified Accountant in the Charity Commissioner's Office whose pay at higher stage was fixed on the ground that he is indispensible to the organisation. This shows that the work is not properly distributed and too much reliance is placed on one person. The Charity Commissioner has admitted the fact that the organisation has now been fairly well established on a ground footing. It can be said to have been fairly well established on a saund footing only if the work is properly allotted and the work is shared among the members according to the stages of responsibility of the posts compared with the ~~max~~ pay scales leaving no

scope for difficulty for filling in any responsible post.

5. From the Charity Commissioner's recommendation it appears that too much reliance is placed on one person and no attempt is made to allot responsible work relating to account matters to the highly qualified Accountant, who is considered to be indespensible to the organization. The proposal may sound economical at this stage by down grading the post of the Establishment Officer (Gazetted) into that of the Supdt. (Accounts and Estt.) (non-gazetted). If too much reliance is placed on one person he is sure to become indispensible. The organization is at present at its infancy stage and is bound to expand, thereby by passage of time the proposed non-gazetted post will be retained and in addition a Gazetted Post will have to be created. The Charity Commissioner's remark that most of the duties at present attached to the Gazetted post of Establishment Officer will have to be shouldered by the new Supdt. is most significant in this respect As soon as the new post is sanctioned there is bound to be a proposal to authorise the incumbent to sign pay and T.A. and Contingent Bills. Next proposal will be that the work cannot be managed by one person and a Gazetted post will have to be created for the duties that will not be attached to the proposed new post.

6. The Charity Commissioner is inclined to do away with the Gazetted post of Establishment Officer, but in other ways he is inclined to retain the post of the Supdt. (Accounts) by adding the duties of the Establishmemt Officer's post to that post and to create a post of the Supdt. (Accounts and Estt.). There is no reason to fix the pay scale of that post higher than the pay scale of the Superintendent (for charity work) already in that office viz. Rs.300-20-500. Besides below this Supdt. there is not responsible post except one Accountant (Legal Asstt. and Bench Clerks are attached to pure Charity work). The account and establishment work is bound to increase day by day and will not admit of reduction in any existing posts. Only the Supdt. (Account and Establishment) and one Accountant

Accountant will find it difficult to cope with the work later on. It is, therefore, necessary to create one post of Supdt. (Establishment) in the grade of Rs.300-20-500 and one post of Supdt.(Accounts) in the grade Rs275-15-350) on a permanent footing, if at all it is absolutely necessary not to have a Gazetted post in the lower pay scale and the Supdt.(Accounts. thus retaining the existing strength.

Id/- 18/3
Supdt.

Id/- 18/3
S. A. S.

vide PA 1-3 of File Est.II/ Charity Commr./51

In the administrative set up under the Charity Commissioner, sanction of F.D. was obtained for a post of Director of Accounts in the scale of Rs.800-50-1200. However, as it was not possible to get the services of such an officer, the F.D. spared the services of Shri Bapat, who was taken up as Supdt. of Accounts in a temporary post created in lieu of a Director of Accounts, in the scale of Rs.275-15-350. The post was created with effect from 1-2-1951 for a period of two months in the first instance (vide L.D. memo No.2587 dt.10-2-1951) This temporary post of Supdt (Accounts) was extended from time to time upto 30-4-1952. As the post of Supdt.(Accounts) was created in lieu of the Director of Accounts, on sooner appointment of Director of Accounts was made with effect from 28-2-1952, the post of Supdt.(Accounts) should have been ordinarily been discontinued. However, for the reasons stated in his note dated 14-4-1952, the Charity Commissioner recommended the continuance of the Superintendent's post beyond 30-4-1952 upto 31-3-1953 and gave an assurance that some-body from his office would be trained.

P. 5 do

2. Since the Establishment Officer (Shri David) is due to retire with effect from 5-4-1953, the C.C. proposes that -

(i) the temporary post of Supdt.(Accounts) may be continued upto 4-4-53;

(ii) the post of Establishment Officer and the

the post of Establishment Officer and the temporary post of Supdt.(Accounts) may be combined into a permanent non-gazetted post of Supdt (Accounts & Establishment) in the scale of Rs.360-20-600 with effect from 5-4-55, the date on which the present substantive holder of the post of Establishment Officer retires; and

(iii) the services of Shri Bapat may be permanently placed at the disposal of the C.C.'s office with effect from 5-4-55.

3. The C.C. remarks that "while submitting the original proposals for the creation of the Organization, my predecessor had hinted that after a couple of years, it would be possible to down-grade the Establishment Officer's post." In this connection it may be pointed out that while proposing the strength of each Branch in the C.C.'s office and the scale of pay of each member, in para 7 of this note Shri Mirchandani made a Note to the following effect as regards the post of the Establishment Officer:-

"This post after about two years, when the Organization has been set going, will be reduced to that of a Superintendent in the scale of Rs.300-20-500."

In para 7 of this note dated 14-3-1953, the C.C. observes:

"The Organization has now been fairly well established on a sound footing and in my opinion it is not necessary now to have a post on a high pay-scale of Rs.650-30-950."

When as stated by the C.C. the Organization is placed on a sound footing, and there is no necessity to continue the post of Establishment Officer, there is no reason why the proposal made by his predecessor (Shri Mirchandani regarding conversion of the E.O's gazetted post into that of a non-gazetted post of Supdt. in the scale of Rs.300-20-500, should not be accepted. There is already a Supdt.'s post in the scale of Rs.300-20-500 in the C.C.'s office and there appears no justification for creating the present

post in the different scale of Rs.360-20-600. As stated by the C.C. in his note dt.14.4.52, an experinced Accountant like Shri Patwardhan should have received training in respect of the work and he would prove of great assistance to Shri Bapat. Most of the duties referred to in para 2 of the C.C.'s note, are these which are assigned to the Director of Accounts. It should not be lost sight of the fact that the Supdt.'s post was created in lieu of the post of the Director of Accounts till the incumbent was selected and no seoner the Director was appointed all such duties, it is presumed, were taken over by him.

4. The proposal for combining of the post of the Establishment Officer (a permanent Gazetted post) with the post of Superintendent (Accounts) ( a temporary ~~xx~~ non-gazetted post) is not feasible. The post of the Supdt.(Accounts) is a temporary post created in lieu of the post of the Director of Accounts till the incumbent of the Director of Accounts ~~is~~ appointed and was extended thereafter for a period of one year till 31st March 1953 as a special case with a new to train a person in the Charity Commissioner's office. Thus this post has outlived its utility and should be discontinued after 31st March 1953. It was however intended that the post of the E.O. should be down-graded after a period of two years into that of a non-Gazetted post of the Superintendent in the grade of Rs.300-20-500. Thus these two posts were created for different purposes and cannot be combined together. ~~xx~~ At the most after down-grading the post of the E.O. into that of the Supdt.'s post in the scale Rs.300-20-500, the Charity Commissioner can allot any duties ~~xx~~ to that post as he likes except the duties of a Gazetted officer such as signing of pay bills, T.A. etc. or any correspondence.

(It is a pity that papers are referred at such late stage. In an important matter like this the papers should have been referred to this Department much earlier leaving this Department sufficient time to consider the

consider the proposal from all its bearings.)

R.D.P.
13/8/56.

S.C.

I have discussed this case with the Charity Commissioner. The Substance of the proposal is that the post of Superintendent (accounts) is being discontinued and the post of the Establishment Officer, is being down-graded. This is unobjectionable and is a main measure of economy. When we should welcome. The allotment of duties to the new E.O. should be left to the descretion of the C.C. and we need not insist/meticuously or rigid principles of allotment of duties.

The only other question is whether the scale suggested by the C.C. should be accepted. That scale is 360-20-600, whereas the regular scale is 300-20-500. In the present circumstnaces the only difference that arrears/is in the matter of the maximum. The C.C. finds that Shri Bapat frame F. D. is very useful and will be of great help to his organization. I would not, therefore, quarrel with the maximum which is being offered as an inducement, to him.

F.D. may please accept the proposal. The case may be treated as urgent.

Id/- ( P.M.L.) 25/3

R.D.P.
11/8/56

S.C.

Finance Department.

The L. D. proposal may be agreed to subject, to the remark, that the post of Supdt. should be in the scale of Rs.300-20-500 and should be sanctioned onn a temporary basis, for a period of 2 years in the first instance.

Id/- 28/3

2. The L,D. proposal involve replacement of an existing x service by another without any addl. cost to Govt. Therefore, it is not a new item of expenditure vide para 74 (a)(v) of the Bombay Budget Mannual. The Exact source from which the expenditure is to be met should, however, be made clear in the orders to be issued.

Id/- 30/3

U.O.R. to L.D., dated the 1-4-56.

R.D.F.
11/3/56
S.C.

The F.D.has agreed to sanction the post of Superintendent in the scales of ~~xxxxxxxxx~~ Rs.300-20 -500 on a temporary basis for a period of two years in the first instance.

It is for orders whether the papers should be shown to the C.C. or orders issued without shewing him the papers on the basis of the F.D's decision.

Id/- 1/4

Secretary.

R.D.P.
11/8/56

S.C.

Office of the Charity Commissioner.

The proposals made in paras 9 and 10 of my note, dated 14-3-1953, and supported by Secretary, Legal Department, have been agreed to by the Finance Deptt. subject to two modifications viz., (i) the new post of Superintendent (Acctts & Estt) should be in the scale of Rs.300-20-500 instead of the scale of --- Rs.360-20-600 proposed by me and (ii) the post should be sanctioned on a temporary basis for a period of two years in the first instance.

2. It is difficult to understand F.D.'s reasons for the second modification. The gazetted post of --- Establishment Officer which is proposed to be down-graded to that of Superintendent was sanctioned on a permanent basis under G.R.L.D.No.7599, dated 14-5-51. The Organisation has been established on a permanent footing and consists of the following permanent and temporary posts :-

| | Permanent posts. | Temporary posts. |
|---|---|---|
| i) Gazetted Officers | 11 (including E.O.) | - |
| ii) Class III posts | 62 | 10 (including post of Supdt. (Acctts). |
| | | 9. (9 monthly clerks) |
| iii) Class IV posts | 44 | 4 |
| Total | 117 | 23 |

89% of the posts (if the 9 monthly posts are excluded) are thus permanent posts. While submitting

to the downgrading of a permanent gazetted post into a permanent non-gazetted post. I fail to see how this Organisation can at any stage do without a post of the nature proposed by me.

3. The other modification suggested by the F.D. is in regard to the payscale proposed to be attached to the new post. That department considers that the reason "that the Charity Commissioner finds that Shri Bapat from F.D. is very useful and will be of great help to his Organisation" contained in Secretary L.D.'s note, is not a sufficient justification for a post with a higher scale. In this connection, I would observe that it is true that my predecessor, Shri Mirchandani, had previously hinted that the gazetted post of E.O. might be downgraded to the post of Superintendent of Establishment in the scale of Rs.300-20-500. after a couple of years. It would have been possible to fix this scale if only the E.O.'s duties were to be entrusted to the Superintendent However, I propose to designate the new post as Supdtt (Acctts & Estt) and to entrust him with the establishment work in addition to accounts work. On the basis of experience gained by me during the last one year and more I am convinced that the new post will have to be sanctioned a note of Rs.360-20-600 i.e. higher than the Superintendent' scale of Rs.300-20-500. There is adequate justification for the higher scale as the nature of duties and responsibilities involved in the new post are decidedly higher than those involved in the other post of Superintendent. I consider that a post of Superintendent who will be in the nature of a link between the Director of Accounts and the accounts branch is most essential. It is proposed to authorise the new Superintendent to sign pay bills of non-gazetted establishment, travelling allowance bills pertaining to my establishment, to keep stationery in his charge and to entrust him with the entire establishment work of the Organization. Inaddition, he will continue to

attend to the duties enumerated at ~~xxxx~~ items (i) to (vii) of para 2 of my previous note. The new Superintendent will be placed in charge of two branches (accounts branch under the Director of Accounts and the other branch of establishment directly under me) whereas the other Superintendent will be in charge of the judicial branch only. The Superintendent ~~xxx~~ (Acctts & Estt) will have ~~xx~~ 10 class III servants under him and the Judicial Superintendent will have 5 class III servants under him. It will thus be clear that the higher scale of Rs.360-20-600 has been based and recommended after fully taking into account the duties attached to the post.

4. Incidentally, I would point out that Shri Bapat's present officiating pay is Rs.305 p.m. plus Rs.70 p.m. dearness allowance. If the scale of Rs.300-20-500 is sanctioned for the new post, his initial pay would be fixed at Rs.300 p.m. resulting in a monthly loss of Rs.15 (Rs.5 pay plus Rs.10 D.A.) This is evidently not desirable especially when he is to be saddled with additional responsible duties which were hitherto performed by a gazetted officer in the scale of Rs.650-30-950.

5. I must add that the proposals have not been made on any personal grounds but are based on the actual experience gained so far. I have also fully taken into account all possibilities of effecting maximum reduction in expenditure without detriment to efficiency. The scale of Rs.360-20-60 is reasonable and the absolute minimum that can be fixed. My proposal involves an annual average of saving of Rs.9,28 There is neither room for modification of the scale nor is it feasible to create the new post on a temporary basis.

6. In the circumstances, I would press for the acceptance of my original proposals and would request that the same may be approved and sanctioned immediately. The Establishment Officer has already retired on the 6th instant and hence very early orders of Government are solicited.

The Establishment Officer has already retired on the 8th instant and hence very early orders of Government are solicited.

Charity Commissioner.

Sec. F. D. may see. I have already supported the C.C.'s recommendation.

Id/- (P.M.L.)
9/4.

1. It is necessary to see how the new arrangement works and hence the limitation about two years.
2. The Supdts' scale 300-30-600 is the same as that of another post of Supdt in the same office. It will not be correct to have two different scales of pay for Supdts post in the same office. The addition of accounts work does not make any difference. It if did, entire F. D. would be getting a higher pay.

Id/- ( P.M.L.)
13/8
Secy. L. D.

R.D.P.
4/8/56.

S.C.

The post of Establishment Officer in the Charity Commissioners' Office has a Gazetted post. Since it is proposed to abolish that post and create a Non-Gazetted post, it would be desirable to submit the papers to Govt. for information.

Sd/- ( P.H.L.)
14/4

Secy.

R.D.P.
4/8/53

S.C.

Establishment - Charity Commissioner, Bombay - Abolition of the post of the Establishment Officer and the creation of a post of Superintendent on temporary basis in lieu thereof in the office of the Charity Commissioner, Bombay.

GOVERNMENT OF BOMBAY.
Legal Department,
Resolution No.9545/C.
Bombay Castle, 23rd April 1953.

RESOLUTION OF GOVERNMENT.

Government is pleased to direct that the post of the Establishment Officer in the office of the Charity Commissioner, Bombay, created in Government Resolution, Legal Department No.7509, dated the 14th May 1951 shall be abolished with effect from the 5th April 1953 and that from that date a temporary post of a Superintendent (Accounts and Establishment) shall be created in that office in the grade of Rs.300-20-500 for a period of two years in the first instance.

2. The charge should be met from the current year's sanctioned grant under "25-General Administration-C-Secretariat and Head Quarters Establishment-E-Civil Secretariat-K-7-(a)-Charity Commissioner-K-7-(a)(2)-Pay of Establishment."

By order and in the name of the Governor of Bombay,

( J.R. Dhurandhar.)
Secretary to Government.

To

All Departments of Secretariat (except the Separate Department).
The Accountant General, Bombay (through the Finance Department).
The Principal Judge, Small Causes Court, Bombay.
The Charity Commissioner, Bombay.

R.D.P.
4/8/56

S.C.

CONFIDENTIAL

Office of the Cmarity Commissioner.

Under G.R.L.D. 9545/6,dated 23-4-53, the post of Establishment Officer has been abolished and a temporary post of Superintendent (Aeotts and Estt) has been created in this office in the scale of Rs.300-20-500 with effect from 5th April 1953. Shri V.B.Bapat has been appointed to the new post of Superintendent (Aeotts & Estt). Shri Bapat was holding the temporary post of Superintendent (Aeotts) in the scale of Rs. 275-15-350. This temporary post was sanctioned upto 31-3-1953. As the new post of Superintendent (Aeotts & Estt) has been created with effect from 5-4-1953, it is necessary to continue the temporary post of Superintendent (Aeotts) upto 4-4-1953 (inclusive) as otherwise there is no post to accommodate Shri Bapat. Orders in this respect may therefore be issued.

2. As Superintendent (Aeotts), Shri Bapat was drawing an officiating pay of Rs.305/- p.m. plus Rs.70 dearness allowance upto 31-3-1953 in the scale of Rs.275-15-350. Under the rules, his initial pay in the scale of Rs.300-20-500 will have to be fixed at Rs.300/- p.m. This, however, means a monthly loss of Rs.15 (Rs.5 in pay and Rs.10 in dearness allowance) to him. This is evidently not desirable especially when he is to be saddled with additional responsible duties which were hitherto being performed by the Establishment Officer in the scale of Rs.650-30-950. These additional duties are a distinct addition to those which were entrusted to him as Superintendent (Aeotts). In fact the new post of Supdt. (Aeotts & Estt) has been created by the combination of the two posts of Establishment Officer and the Supdt.(Aeotts). The new post definitely involves higher and more responsible duties than those invol in the post of Supdt. (Aeotts). I would therefore recommend that Shri Bapat's initial pay may be fixed at Rs.320/-p.m. wh is the next higher stage in the scale of Rs.300-20-500, as a special case under R.C.S.Rule 51. I must add here that I originally recommended a scale of Rs.360-20-600 for the new

new post, and ~~xxxxx~~ grant of one advance increment in the scale of Rs.300-20-500 sanctioned by Government, is perhaps the most modest and reasonable proposal.

3. In the circumstances, it is requested that the proposals made in paras ~~x~~ 1 and 2 above may be approved and sanctioned at a very early date as Shri Bapat has not been able to claim his pay and allowances for the currennt month. The cost involved in the proposals will be met from the sanctioned grants.

Id/-

Charity Commissioner.

R.D.P.
4/8/56.

S.C.

Submitted.

This is a proposal from the Charity Commissioner, Bombay to

(1) continue the post of Supdt.(Accounts) for four days from 1st to 4th April 1953, and

(2) to fix the initial pay of Shri Bapat @ Rs.320/-p.m. in the scale of Rs.300-20-500 as a special case under rule 81 of the E.C.S.R.

2. As regards the first proposal Shri Bapat has been appointed to the newly created post of Supdt., Accounts and Estt. in the scale of Rs.300-20-500. Prior to his appointment in said post he was officiating in the post of Supdt.(Accts), the sanction for which expired on 31st March 1953. It will thus be seen that there is no provision for Shri Bapat for 4 days i.e. from 1st to 4th April 1953. The Charity Commr's proposal to continue the post of Supdt.(Accts) for 4 days from 1st April 1953 may, therefore, be accepted and recommended to F.D. for sanction.

3. While recommending the second proposal viz. to fix Shri Bapat's pay at Rs.320/- in the scale of Rs.300-20-500 the Charity Commr. observes that Shri Bapat's Offg. pay at present is Rs.305/- p.m. in the scale of Rs.275-15-350. On Rs.305/- he gets Rs.70/- as D.A. His total emoluments come to Rs. 375/-. Since he has now been appointed as Supdt. in scale of Rs.300-20-500, his pay has to be fixed at Rs.300/- p.m. plus Rs.60/- for D.A. = 360/-. It may be observed in this connection that the pay of a Govt. servant in a temp. post has to be fixed with reference to his substantive pay in a permanent post. From the perusal of Shri Bapat's Service Book it will be seen that he is confirmed provisionally substantive in the post of J.A. On 15-4-49 his pay as J Asstt. was Rs.150/-. Had he been continued in the same post he would have earned four increments and his pay on 19-4-53 would have been Rs.190/-p.m. But he was officiating as Senior Asstt. from 17th Oct.1949 and continued as such till 1st Feb.1951, the date from which he was deputed to the Charity Commr's office as Supdt.(Accts). In the grade of Rs.275-15-350. Assuming that he would have continued to officiate as Senior Asstt. if he had not

been deputed to the C.C's office his pay as Jr.Asstt. would have been Rs.255/- on 17th Oct.1952.

It will thus be seen that had Shri Bapat remained in the F.D. his officiating pay as S.A. would not have been more than Rs.255/- on this day. Shri Bapat by his appointment as Supdt. (Accts. & Estt) has been benefitted to the extent of Rs.45/-p.m. It cannot also be lost sight of the fact that the maximum of the Supdt.(Accts. & Estt)'s post is Rs.300/- and that he will be benefited to a very great extent in the very near future. It will thus be seen that there is no case for granting advance increment to Shri Bapat when it is found that he is merely confirmed provisionally substantive in the post of the Jr.Asstt.

4. The C.C. has argued that Shri Bapat has been saddled with additional responsible duties which were hitherto being performed by the E.O. and that the new post definitely involves higher and more responsibilities than these involved in the post of Supd (Accts). The facts, however, do not support this view. The duties of the E.O's post are enumerated in the Ch. Commr's note dated the 17th Oct.1950 p.40 of file Estt-Ch. Commr(Genl)/50. Slip A.

The duties consist of the supervision of the Cashier Estt., their salary and T.A.Bills, lawyers' bills, promotions, transfers etc. The Ch.Commr. has already stated in his previous note that he distributed the work among three officers and the two Supdts. The work transferred to the officers must have been signing of pay & T.A.Bills, promotions and transfers of staff etc The work of signing pay and T.A.Bills and orders re: transfers and promotions etc. is never entrusted to the non-gazetted staff and hence the same must have been shared by three officers. The spade work in connection with the establishment matters is done by the non-gazetted staff and the same was being done by the Supdt. Shri Bapat when he was holding the Supdt.(Accts) post. It may, also, again be pointed out that the post of Supdt.(Accts) was continued upto 31st March 1953 so as to train the other incumbent. Shri Patwardhan is Accountant in the Ch.Commr's office and his pay has been fixed at a higher stage on the

grounds that his knowledge of accounts etc. would be of great use to the Charity organisation. If Shri Bapat is doing all the accounts work, it is not understood k what work is being done by Shri Patwardhan. It can even be said that if the work attached to the Director of Accounts' post (vide Ch. Corr's note dt.12-10-60 p.40 Slip A) is done by the Dir. of Accounts and the K Accountant's (Shri Patwardhan's) services are utilised for spade work, there is no necessity of even the post of the Supdt. of Acctts. and Batt. From the above it will be seen that there is no case for granting premature increment to Shri Bapat under rule 61 of the F.R.S.R. If Shri Bapat thinks that injustice is done to him, it is open for him to revert to his parent Deptt.

5. If however, it is considered that Shri Bapat shouldnot be made to suffer in his officiating pay of Rs.305/- by reason of his appointment in the new post of Supdt. of Acctts and Batt., he can, it appears, be allowed to draw Rs.300/- pay plus Rs.5/- personal pay to be absorbed in the next increment in accordance with r.44(e) of the F.C.S.R. And after he earns an increment on 1st Feb.1964 in the scale of Rs.275-15-350 he can move in the new post in the scale of Rs.300-20-500. His dt date of increment will remain 1st February. But in that case option once exercised is final.

6. The papers will have to be shown to the F.D.

Id/-
28/4

This is not a fit case for advance increment. Since the temporary post of Supdt.(Acctts.) does not exist on 1-4-63. Shri Bapat reverts to his parent Deptt. on that day (1st April 1963) unless as proposed by the Charity Commissioner the post of Supdt.(Acctts.) in which he was officiating is extended for 4 days. This clearly shows that the extension of the post is proposed only for accommodating him. Shri Bapat is provicionally substantive in the J.A's post and his pay in that post is Rs.190/- p.m. and since he was offg. as S.A. prior

to this deputation to C.C's office his pay in that post would come to x Rs.355/-.

In view of this Shri Bapat's pay can only be fixed at Rs. 300/- the minimum of the scale of the new post of Supdt. (Accts. & Estt.) from 5th April 1953. He has already been given a fair deal by reason of his appointment from prvly. confirmed J.A. at Rs.190/- (in the scale of 120-10-250) to effg. Supdt.(Accts. & Estt.) Rs.300/- (in the scale of Rs.300-20-500) for which he would have waited at least for 7 years in the ordinary course of things had he not been on deputation t to C.C's office.

Id/-
28/4/53
3. A. S.

The temporary post of Supdt.(Accounts) was sanctioned upto 31-3-1953. As Shri Bapat has been appointed to the new post of Supdt.(Accts.and Establishment) which has been created with effect from 5-4-53, it would appear necessary to extend the period of the post of Supdt (Accts) upto 4-4-53. F.D. may see for sanction.

P. As Supdt(Accounts) Shri Bapat was drawing an officiating pay of Rs.305/- plus Rs.70 as dearness allowance. In the newly created post of Supdt.(Accts & Est.) Shri Bapat will have to be fixed on Rs.300/- which means that he will gets Rs.5/- less than in pay and Rs.10/- in D.A. It is, therefore, suggested that Shri Bapat's initial pay may be fixed up at Rs.320/-p.m. which is the next higher stage in the scale of Rs.300/20/500, as a special case, under rule 51 of the B.C.S.R. The "instruction" under rule 51 provides that "it is contrary to the principle of time-scale pay to grant an increment before it is due" and that grant of advanced increment should not be recommended excepting under circumstances which would justify the grant of personal pay to a Govt. servant, that is to day, except on first appointment to Govt. Service. The recommendation of the Charity Commr. affording accounts to/appointing a second advantage over the advantage that Shri Bapat derived on his

whether the suggestion of the Charity Commr. should be accepted.

Id/-
23/4
Secy.

In the new post to which Shri Lapat has been appointed, in addition to the accounts work, he will have to do also the Establishment work. It would therefore be proper to give him atleast one more increment and start him on Rs.320/-. His present pay is 305/-.

Id/- ( J.R.D. )
23/4

U.O. to F.P.No.345/Genrl, dated the 22th April 1955.

R.D.P.
6/5/56.

S.C.

Finance Department.
Br.VIII

Submitted W.V. and the Secy's note dated 13-4-1953.

2. The L.D. proposal contained in para (1) of its office note dated, 28-4-1953 may be agreed to

3. With regard to the proposal, contained in para(2) of the L.D. office note x refered to above, itx may be noted that there is no streng justification for fixing the pay of Shri Bapat, under B.C.S.R. 51. His pay may be fixed under the normal operation of B. C.S.Rs;. The point, raised by the Secy. L.D. in his forwarding note, is covered by the concluding portion of para. 2 of the Secy's note dt. 13-4-1953. The L.D. may be informed accordingly.

Sd/- 30/4/53.

U.R. to the L.D. dt. 30/4/53.

R.D.P.
6/8/56.

S.C.

Legal Department.

Submitted.

The F. D. has accepts the prepesal te extend the pest ef Supdt(Acctts) upte 4th April 1953. Necessary Memerandum conveying sanctien te A.G.B. is put up at p. 43 for sign.

2. The Secend prepesal viz. te fix Shri Bapat's pay at 320/- in the grade ef Rs.300-20-500 under rule 51. ef the B.C.S.Rs. has been turned dewn by the F.D. In viewing the F.D. ruing Shri Bapats pay will have te be fixed at Rs.300/- necessary latter te the Ch.Commr. intimating the F.D's decisien is put up at p.45 pest for appreval and sign.

Id/-
S. S. 2/5

F.D. accepted the prepesal fer extensien ef peried ef pest ef Supdt(Accts.) Orders are being issued accordingly.

Id/- 2/5.
A. S.

The F. D. considers that there is no justificatien for fixing the pay ef Shri Bapat at Rs.320/-. The C. C. may be informed accordingly.

Id/- J.R.D. 2/5
Secretary.

R.D.P.
6/8/56.
S.C.

No. 10356/C.
Legal Department,
Bombay Castle(Bombay No.1) 4th May 1953.

Memorandum.

The undersigned presents compliments to the Accountant General, Bombay and with reference to Government Memorandum, Legal Department No.5857, dated the 18th April 1952 is directed to convey the sanction of Government to the continuance of the temporary post of Superintendent ( Accounts) upto 4th April 1953 (inclusive).

2. The expenditure should be met from the current year's sanctioned grant under "25 General Administration-C-Secretariat and Head Quarters Establishment-k-Civil Secretariat-K-7(a)-Charity Commissioner".

By order and in the name of the
Governor of Bombay,

Id/-

Assistant Secretary to Government.

To

The Accountant General,
Bombay (thro' the Finance Department).

Copy to:-

The Finance Department,
The Charity Commissioner, Bombay.

R.D.P.
6/8/56

S.C.

No. 10357/C
Legal Department,
Bombay Castle (Bombay No.1) 4th May 1953.

To

The Charity Commissioner,
Bombay.

Sir,

With reference to your No.Confl.46/53, dated the 25th April 1953 I am directed to state that Government in the Finance Department has decided that your proposal to fix Shri Bapat's pay at Rs.320/- in the grade of Rs.300-20-500 under rule 51 of the Bombay Civil Services Rules cannot be accepted and that the same should be fixed under the normal operation of the Bombay Civil Services Rules. Shri Bapat's pay should therefore be fixed at Rs.300/- p.m. His Service Book is returned herewith.

2. A copy of the Government Memorandum, Legal Department No.10356/C, dated the 4th May 1953 extending the period of the temporary post of Superintendent (Accounts) upto 4th April 1953 is enclosed for your information.

Yours faithfully,

Id/-

Assistant Secretary to Government.

R.D.P.
6/8/56

S.C.

No. 2893 of 1953.
Office of the Charity Commissioner,
Bank of India Building, 4th Floor,
Flora Fountain, Fort, Bombay No. 1.

24th June 1953.

From

Shri D.R.Pradhan, I.C.S., J.P.
Charity Commirrioner & Treasurer of
Charitable Endowments, Bombay State,
BOMBAY.

To

The Secretary to Government,
Legal Department, BOMBAY.

Subject : Special Pay.
Grant of -- to a junior clerk doing
work relating to charitable endowments.

Sir,

I have the honour to state that under Section 43 of the Bombay Public Trusts Act,1950, the Charity Commissioner is deemed to be and to have always been the Treasurer of Charitable Endowments for the State of Bombay under the Charitable Endowments Act,1890. Although, the Bombay Public Trusts Act, 1950, was enacted with effect from the 14th August 1950, the ministerial work pertaining to the charitable endowments was being attended to by the office of the Accountant General, Bombay, upto 7th May 1952. The work has been taken over by this office from the office of the Accountant General, Bombay with effect from the 8th May 1952, and since this date the work of collection and disbursement of interest on the securi ties vested in the Treasurer of Charitable Endowments is being attended to by this office.

2. In the Accountant General's office, the following staff was attending to the work in question :-

| | | Rs. |
|---|---|---|
| 1. | Accounts Officer (Gazetted) | 500-30-800. |
| 1. | Superintendent | 80-8-140-6-230 Plus Rs.30/- Special Pay. |
| 1. | Clerk | 60-8-140-6-230 plus Rs.15/- special pay. |
| 1. | Peon | 30-1/2-35. |

It has since been ascertained from the office of the Accountant General, Bombay, that a cash security for Rs.2000/- was taken from the clerk attending to the work and he was in receipt of special pay at Rs.10/- per month sanctioned under Government of India, Ministry of Finance, letter No.F.13(97)-E-III/49, dated the 4th January 1950 (copy enclosed). As the work connected with E endowments was not only new to this office but was of a responsible nature involving the handling and safe custody of the securities of the value of about Rs.2.20 crores, Shri Chiney, the endowment clerk in the Accountant General's office was brought on deputation to my office from 8th May 1952 for a period of three months in the first instance. It was also hoped that during the period of Shri Chiney's deputation, one of the junior clerks in my office could be trained for the work in question. However, as Shri Chiney had to proceed on long leave on medical grounds from the 26th May 1952, his deputation had to be terminated and the work had to be entrusted to one of the junior clerks.

3. The following staff attends to the endowments work in my office :-

| | | |
|---|---|---|
| 1 | Director of Accounts (part-time) | Rs.800-50-1200, |
| 1 | Junior Clerk(full time) | Rs.75-5-140-E.B.-6-200. |
| 1 | Junior Clerk(part time) | Rs. - Do - |
| 1 | Peon (part time) | Rs. 35-1/2-40. |

The securities vested in the Treasurer of Charitable Endowments are of the value of about Rs.2.20 crores as already stated above. Interest amounting to about Rs.7 lakhs is annually collected and passed on to the beneficiaries. The securities in question are lodged with the Reserve Bank of India, Bombay, for safe custody and collection of interest The payments of interest are required to be made by bank drafts, money orders and cheques. The volume of work is decidedly heavy and of a responsible nature. The endowment clerk has to make 1308 payments annually in respect of

interest on securities as shown below:-

| Budget Head | No. of payments. |
|---|---|
| XXVI - Saugn. | 128 |
| XXVII - Medical | 16 |
| Cheques to local administrators in Greater Bombay | 374 |
| Drafts outside Greater Bombay | 440 |
| Money orders. | 350 |
| | 1308 |

In the Accountant General's office, payment of interest was being made by payment orders issued on all treasuries and the securities were kept in the strong room of that office; whereas with the transfer of work to my office, the securities have been lodged with the Reserve Bank of India, Bombay, for safe custody and collection of interest and the payments are required to be made drafts, money orders and cheques. Thus the Charity Commissioner (Treasurer of Charitable Endowments) does not enjoy the same facilities as the Accountant General did, in the matter of safe custody of securities and payments to be made to the beneficiaries. In view of the changed procedure, the volume of work has increased considerably. A security of Rs.2000/- has already been furnished by the endowment clerk in my office.

4. I may further point out that the work relating to the charitable endowments being at present attended to by the misc office of the Deputy Accountant General, Baroda, and the Treasury Officer, Sangli is also to be transferred to this office. As regards the transfer of work from the Treasury Officer, Sangli, I have already solicited Government orders.

5. In view of the fact that the work entrusted to the junior clerk is of a responsible nature involving the handling of securities, I would propose that a special pay of Rs.15/- per month may be sanctioned to the full time junior clerk (endowment clerk) in my office. The special pay of Rs.15/- per mensem works out to about 11.4 per cent of the average

(Rs.131/-) of the pay-scale of Rs.75-5-140-E.B.-6-200 attached to the post. On the analogy of the special pay granted to the clerk in the Accountant General's office for the same work, there is sufficient justification for the proposed grant of this special pay to the junior clerk in my office. I would further recommend that the special pay of Rs.15/- per month may be sanctioned from the 8th May 1953, the date from which the ministerial work was taken over by my office.

6. The extra cost involved in the proposal is Rs.180/- per annum. The cost on account of the pay and allowances of the Charity Commissioner's establishments is initially met from the ~~Misc~~ budget head "25-General Admn-K-7-(a)-C.C." and reimbursed to Government from the P.T.A. Fund vesting in the Charity Commissioner at the end of each financial year. The extra cost involved in the proposal can be met from the sanctioned grants of the current financial year.

Yours faithfully,

Id/-

Charitable Commissioner &
Treasurer of Charitable Endowments,
Bombay.

R.D.P.
6/8/56.

S.C.

No. F. 13(97)-E.III/49.
Government of India,
Ministry of Finance,
New Delhi, the 4th January 1950.

From

Her Kishore, Esquire,
Under Secretary to the Government of India.

To

The Auditor General of India.

Subject: Grant of special pay to the clerk-in-charge and two clerks attached to the High Court Section of the office of the Accountant General, Bombay.

Sir,

With reference to your memorandum No.8782 TGE.1/459-47, dated the 11th November 1949, I am directed to convey the sanction of the Governor-General to the grant of special pay at the rates of Rs.30/- and Rs.10/- p.m. to the clerk-in-charge and each of the two clerks attached to the High Court Section of the office of the Accountant General, Bombay, respectively, with effect from the 1st July 1946.

Yours faithfully,

Sd/-

Under Secretary to the Govt. of India.

No.F.13(97)-E.III/49,

Copy forwarded to the Accountant General, Bombay and Madras.

P.D.P.
6/3/50

A.C.

L.D.R.I.No.15391 dt.25.6.53.

Submitted.

Please see letter No.2893,dated the 24th June 1953 from the Charity Commissioner and Treasurer of Charitable Endowments, Bombay at pages 1-4 ante.

In view of the circumstances stated by the Chrity Commr. and also in view of the fact that the work entrusted to the junior clerks is of a responsible nature involving handling of securities, the proposal to pay a special pay of Rs.15/- p.m. with effect from the 8th May 1952, to the endowment clerk may be recommended to the Finance Department for Sanction on the analogy of the special pay granted to the clerk in the A.G's office for the same work in the past.

Id/- 25/6
Supdt.
Id/- 25/6
S.A.S.
Id/- 25/6
A. S.

U.R. to F.D. No.13703/C. dated the 26th June 1953.

F.D.VIII

The proposal may be agreed to subject to the remark that retrospective effect need not be given to the grant special payment this is not usual. The spl. pay may be sanctioned from the date of issue of the orders.

In there any other post of cashier in this office. If so, in what grade & what is the spl. pay, if any, paid to this cashier.

Id/- 14/

U.R. to L.D. dt. 26/7/1953.

L.D.

There is no other post of cashier in the office of the Charity Commissioner Bombay and hence reply to sec-- of D.S.F.D.'s note dt. 14-7-1953 does not arise.

Id/- 18/7
S. S.
Id/- 18/7
S.A.S.

U.R. to F.D. No. 15360/C, dt. 20/7/53.

F.D.VIII

In view of the above reply to D.S's query dt.14.7.53. the L. D. may be advised as in O.U. dt. 7.7.53 overleaf.

Id/- 23/7
As. S.

Id/- 24/7
D. S.

U.R. to L.D. dt. 25 - 7 - 1953.

R.D.P.
6/8/56.

D.C.

Legal Department.

18287/ 29-7-1953.

Submitted.

2. The F.D. has agreed to our proposal regarding the grant of a special pay of Rs.15/-p.m. to the junior clerk doing endowment work in the office of the Charity Commissioner, Bombay. The F.D. has, however, not agree to give retrospective effect to the proposal but sanctioned the special pay from to date of issue of the orders. The orders may take effect from the 1st May '53.

3. The accompanying memo. put up for approval may issue.

Id/- 29/7
S. S.

Id/- 29/7
S. A. S.

X Why not issue order in the form of a G. R.?

Id/- 29/7

Resubmitted.

As desired by the S.A.S. A a G.R. is put up for approval.

Id/- 30/7

Id/ 30/7
S. S.

Id/- 30/7.
S. A. S.

Special Pay.

Grant of - to the junior clerk doing endowment work in the office of the Charity Commissioner, Bombay

GOVERNMENT OF BOMBAY.
Legal Department.
Resolution No.16256/C.
Bombay Castle, 1st August 1953.

Letter from the Charity Commissioner, Bombay, No.2893, dated the 24th June 1953 - Requesting sanction for grant of a special pay of Rs.15/- per month to the junior clerk, handling securities and doing endowment work in his office.

Unofficial Reference to the Finance Department No.15360/C, dated the 20th July 1953.

Unofficial Reference from the Finance Department dated the 25th July 1953.

RESOLUTION : Government is pleased to sanction with effect from the 1st August 1953, the grant of a special pay of Rs.15/-(Rupees fifteen only) per month to the junior clerk for handling securities and doing endowment work in the office of the Charity Commissioner, Bombay.

2. The charge should be debited and met from the current year's sanctioned grant under the head "25 General Administration - C - Secretariat and Head Quarters Establishment - K - Civil Secretariat - K- 7(a) - Charity Commissioner - K - 7(a)(2) - Pay of Establishment."

By order and in the name of the Governor of Bombay,

Sd/- ( R.P.Bhangara),
Assistant Secretary to Government,
Legal Department.

The Accountant General, Bombay (through the Finance Department.)

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Copy to :-

The Finance Department,
The Charity Commissioner, Bombay.

R.D.P.
6/8/56
S.C.

No. 3602 of 1953.

Office of the Charity Commissioner
Bank of India Building, 4th Floor,
Flora Fountain, Fort, Bombay No. 1.

3rd August 1953.

OFFICE ORDER No. 38.

The following Class III Government servants working in the Public Trusts Registration Office, Baroda Region, Baroda, (in Government Resolution, L. D. No. 7599, dated 14-5-1951) are confirmed in the posts and pay-scales created/mentioned against them in columns 2 and 3 respectively, with effect from the dates as given in Column 5 of the statement:

| S N | Designation | Pay-scale | Name | Date of confirmation. |
|---|---|---|---|---|
| 1 | 2 | 3 | | 5 |
| 1. | Inspector | 140-10-170 | Shri S.H.Mehta | 5-1-1952. |
| 2. | Senior Clerk. | 100- 8-140 | Shri C.N.Shah | 2-1-1952. |
| 3. | Junior Clerk. | 46-3-85-E.B. -4-125-5-130 | Shri K.G.Madhakar | 2-8-1952. |

Sd/-
Charity Commissioner, Bombay.
3/8/53.

Copy forwarded with compliments to :

1) The Secretary to Government, Legal Department, Bombay.

2) The Assistant Charity Commissioner, Baroda Region, Baroda.

3) The District Judge, Branch.

R.D.P.
6/8/56

S.C.

VERY URGENT : 95.

No. 5546 of 1953.
Office of the Charity Commissioner
Bank of India Building, 4th Floor
Flora Fountain, Fort, Bombay No.1.
Dated: 30th July 1953.

From

Shri D.R.Prachan, I.C.S., J.P.
Charity Commissioner, Bombay.

To

Slip 'A'

Sub:- Continuance of nine monthly temporary posts of fourteen junior clerks in the six Public Trusts Registration Offices.

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2. I have the honour to state that four posts of junior clerks in the scale of Rs.75-5-140-E.B.-6-200 for the Publ Trusts Registration Office, Greater Bombay Region, and te posts of junior clerks in the scale of Rs.46-3-85-EB-4-125 130 (two for each of the five Public Trusts Registration Offices at Ahmedabad, Baroda, Poona, Kolhapur and Belgaum) h been sanctioned by Government for a period of nine months effect from the date of their respective appointment. Th dates of respective appointment to each of the fourteen p and the dates on which the present sanction expires are indicated below :-

| Name of Region | Date of appointment. | Date on which sanction expires. |
|---|---|---|
| Public Trusts Registration Jr.Clerk Office, Greater Bombay Region. | (1) 22-12-52 | 21-9-53 |
| | (2) 2- 1-53 | 1-10-53 |
| | (3) 2-1-53 | 1-10-53 |
| xxxx

The present sanction to the above posts therefore expires between 9th September 1953 and 1st November 1953. The posts in question were created in order to enable the Deputy and Assistant Charity Commissioners to expedite and complete the work of registration of public trusts and xx of making entries in the Register of Public Trusts. The work entrusted to the junior clerks consists of scrutinising applications for registration, writing and despatching notices, preparing registration certificates with duplicates and making entries in the Register of Public Trusts. Upto the end of June 1953, the Deputy and Assistant Charity Commissioners have completed inquiries either under section 18 or section 28 of the Bombay Public Trusts Act, 1950, in respect of 24,576 trusts. The inquiries were undertaken from the month of August 1952.

3. The sub-joined table below shows the total number of applications pending at the end of June 1953, the total number of inquiries under section 18 and 28 completed at end of June 1953 and the number of entries remaining to be made on the 30th June 1953 in the Register of Public Trusts though inquiries are completed

| Name of the Region | No.of Applns. pending on 30-6-1953. | No.of inquiries completed upto 30-6-1953 | No.of entries yet to be made though inquiries completed |
|---|---|---|---|
| 1. Public Trusts Registration Office Greater Bombay Region. | 820 | 5,443 | 4,733 |
| 2. -- do -- Ahmedabad | 1,681 | 4,054 | 2,754 |
| 3. -- do -- Baroda | 8,680 | 4,448 | 2,481 |
| 4. -- do -- Poona | 2,591 | 2,099 | 1,053 |
| 5. -- do -- Kolhapur | 2,278 | 2,848 | 973 |
| 6. -- do -- Belgaum | 6,556 | 4,097 | 2,519 |
| Total | 22,606 | 24,576 | 14,513 |

It will be seen from the above statement that out of the total number of 47,082 applications for registration, inquiries in respect of 24,576 applications have been completed and 22,506 applications

are pending for inquiry at the end of June 1953. I must observe here that the Regional Officers have so far taken u for inquiries mostly uncontested applications and applicat-tions under section 28, and the average number of inquiries completed by each Regional Officer is 450 per month. In th Greater Bombay Region, there are two inquiry officers, viz. the Deputy Charity Commissioner and Asstt. Charity Commissioner, but the majority of applications that are now pending are filed "under protest" and the inquiries in respect each of them will be protracted. Both the Deputy and Assis tant Charity Commissioner may be able to dispose of roughly -200 such inquiries per month. On this rough basis it will take at least four months more, i.e., till the end of Octob 1953 for these two officers to complete all the inquiries. The appointment of junior clerks is not made solely for the purpose of enabling the Regional Officers to expedite and complete the inquiry. The clerical staff has to make entri in the Register of Public Trusts. This Register is not only meant for the use of this Organisation but also for the use of the public. The work of making entries though enquiries are completed is heavily in arrears in the Greater Bombay Region. The majority of trusts in this Region are big trust having a gross annual income of Rs.1,000/- and more. Most o the trusts hold very large moveable and immoveable properti es and the entries in the Register of Public Trusts run into several pages. The volume of work involved in making entri in respect of one public trust is generally 3 to 4 times heavier in the Greater Bombay Region than in other regions. More time and labour is therefore required to complete the work of making entries in the Public Trusts Register maintained in the Greater Bombay Region Office. In the circumstances, although there is a possibility of completing all the inquiries in the Greater Bombay Region Office by the end of October 1953, the pressure of work of making entries will remain till at least the end of the current financial year. Even if it is presumed that 500 such entries are made

every month, the work of making entries may not be over till the end of February 1954.

On the basis of 450 inquiries per month the Deputy Charity Commissioner, Ahmedabad, may be able to complete all pending inquiries by the end of October 1953. I am, however transferring about 2,000 applications for registration from the Kaira district from the Assistant Charity Commissioner, Baroda, to the Deputy Charity Commissioner, Ahmedabad under Rule 36(3) of the Bombay Public Trusts Rules, 1951. With the transfer of these applications to the Deputy Charity Commissioner, Ahmedabad, he will have to undertake inquiry work which will last till at least the end of February 1954 as the average rate of 450 applications per month he would require about 5 months more from November 1953 onwards to complete inquiries in respect of the pending applications from the Kaira District.

3. The Assistant Charity Commissioner, Baroda, has about 3,680 pending applications excluding the 2,000 applications from the Kaira District. Inquiries in the Baroda Region will not be completed even till the end of February 1954. Similarly the pending inquiries in the Belgaum Region will not be completed by that period. The Asstt. Charity Commissioners, Poona and Kolhapur, will require 6 and 5 months more respectively. the Asstt. Charity Commissioner, Poona, may complete all the pending inquiries by the end of December 1953 and the Assistant Charity Commissioner, Kolhapur, may be able to dispose of all the pending inquiries by the end of November 1953. During the remaining two or three months, the additional staff will have to be utilised to concentrate on the work of making entries in the Register of Public Trusts.

4. Rule 5(2) of the Bombay Public Trusts Rules, 1951, requires that a copy of the Register of Public Trusts maintained in each Public Trusts Registration Office should be kept in this office. So far the Deputy Charity Commissioner, Ahmedabad, only has forwarded copies of about 50 entries in the Register

maintained in his office. This work has thus remained in arrears. The Regional Officers were told that the copies of entries made in the Register of Public Trusts in respect of public trusts having gross annual income of less than Rs.1,000 need not be forwarded till the pressure of registration work lasts. The work of preparation of duplicate entries will now have to be taken up and hence it would be n- the temporary posts for some months more.

5. It is also necessary to concentrate on the work of collection of contributions which is of vital importance to the Organisation. The trustees seem to carry an erroneous impression that no accounting returns are to be submitted till the trusts are registered. With the progress of inquiries, quite a large number of accounting returns would be received which will have to be scrutinised and demand notices issued. The services of the temporary junior clerks will have, therefore, to be utilised for some of the work connected with the collection of contributions also.

6. In view of what is stated in the foregoing paragraphs, will be clear that there is a strong and adequate justification for the further continuance of the temporary posts. In fact, it might be necessary to continue some of these nine monthly posts for about a year more but with a view to maintaining uniformity I would recommend that the fourteen temporary posts of junior clerks may be continued upto 28th February 1954 only. The extra cost on account of the pay and allowances of the temporary posts involved in the proposal is Rs.7,700/- approximately and can be met from the sanctioned grants of the current financial year. The expenditure may be initially debited to be budget heads indicated in the Government Memorandum referred to above and reimbursed to Government from the Public Trusts Registration fund at the end of the financial year. There will be no extra cost to Government as the expenditure in question is ultimately met from the Public Trusts Administration Fund. As the existing sanction

to some of the temporary posts expires on the 9th September 1953 onwards, it is requested that early orders of Government may be passed in the matter.

Yours faithfully.

Sd/-
Charity Commissioner,
Bombay.

R.D.P.
7/8/56.

S.C.

Legal Department.
18545/51-7-1953.

Submitted with pp.

2. Please see G.M.L.D.No.19372/C, dated the 20th November 1952 under which 4 posts of junior clerks for the Public Trusts Registration Office, Greater Bombay Region and 10 posts of junior clerk, two each for the five Public Trusts Registration Offices at Ahmedabad, Baroda, Poona, Kolhapur and Belgaum were created for 9 months with effect from the date of their respective appointments. The period of these 14 posts expires between the period from the 9th Sept. to 9th Oct.1953 as stated in para 2 of C.C's letter.

3. In this connection please see the Charity Commr's letter No.3546, dated the 30th July 1953, requesting for the continuance of these 14 temporary posts of junior clerks upto the 28th Feb.1954.

4. In view of the detailed justification given in paras 3 to 5 of the C.C's letter, the proposal made by him may be recommended to the Fin.Deptt. The C.C. has stated that the extra expenditure involved in the proposal, which is approximately Rs.7700/-, can be met from the current year's sanctioned grant. The expenditure is subsequently to be reimbursed to Govt. from the P.T.A.Fund at the end of the financial year.

5. Attention is however, invited to portion "A" of para 6 of the C.C's letter wherein he has stated that it might be necessary to continue some of these posts for about a year more but with a view to maintaining uniformity he has proposed that the 14 posts referred to above may be continued upto the 28th Feb.1954.

6. The pps. may be shown u.o. to the F.D. for concurrence.

7. As the existing sanction to some of the posts expires on the 9th Sept.1953, the F.D. may be requested to treat this case as '<u>very urgent</u>'.

Id/- S. S. 6/8

Id/- S. A. S. 7/8.

~~U.O.R. to F.D. No. 16692/C, dt. 8-8-1953.~~

P.T.O

The proposal of the Charity Commr. to continue the fourteen temporary posts upto 28-2-1954 may be accepted. F.D. may see for concurrence.

Sd/- 7/8.

Secretary.

R.D.P.
7/8/53.

S.C.

U.O.R. to F.D. No 16692/C

dated 8-8-1953

Finance Department.

VIII

Submitted with reference to the office note dt. 12-8-53.

2. The L.D. has now forwarded the relevant proceedings. pl. see the Charity Commr's letter on p. 1-6 ante.

3. In the circumstances fully explained therein, F.D. may agree to the proposal made by L.D. in its note on p. 2 ante.

Id/- 25/8

Id/- 22/8

Id/- 25/8

U.O.R. to L.D. dt. 26/8/53.

x with file Est. II C.C.

Legal Department.

20929/27-8-1953.

Submitted.

2. Please see F.D. note above agreeing to the proposal made by this Department regarding the continuance of the fourteen temporary posts under the Charity Commr. upto 28-2-1954.

3. The accompanying memo. put up for approval may issue.

Id/- 27/8

Id/- 28/8
S. S.

Id/- 28/8
S. A. S.

R.D.P.
7/8/56

S.C.

No. 17948/C.
Legal Department,
Bombay Castle(Bombay Nol)31st Aug.'55

Memorandum.

The undersigned presents compliments to the Accountant General, Bombay andx is directed to convey the sanction of Government to the continuance of the fourteen posts of Junior Clerks created in Government Memorandum, Legal Department No. 19372/C, dated the 20th November 1952, upto 28th February 1954

2. The expenditure for the current year should be met from this year's sanctioned grants under

(i) "25 General Administration - C - Secretariat and Headquarters Establishment - K - Civil Secretariat - K - 7(a) Charity Commissioner" in respect of the four posts of junior clerks for the Public Trusts Registration Office, Greater Bombay Region; and

(ii) "25 General Administration - E - District Administration - Q - General Establishment - Q - 1(c) - Regional Staff of Charity Commissioner" in respect of the ten posts of junior clerks for the Public Trusts Registration Offices at Ahmedabad, Baroda, Poona, Kolhapur and Belgaum.

By order and in the name of the
Governor of Bombay,

ORIGINAL. Sd/-
Assistant Secretary to Government,
Legal Department.

To
The Accountant General,Bombay(through the Finance Department).

Copy to -
The Finance Department,
The Charity Commissioner, Bombay,
The Deputy Charity Commissioner,Greater Bombay Region, Bombay,
The Deputy Charity Commissioner,Ahmedabad Region, Ahmedabad,
The Assistant Charity Commissioner,Baroda Region,Baroda
The Assistant Charity Commissioner,Poona Region, Poona,
The Assistant Charity Commissioner,Belgaum,Region,Belga
The Assistant Charity Commissioner,Kolhapur Region, Kolhapur,

R.D.P.
7/8/56
S.C.

CONFIDENTIAL.

Office of the Charity Commissioner.

Subject — Application by Shri N.B.Surti, Superintendent (Judicial) for extension of service for one year from the date of his superannuation i.e. from 21-9-1953.

Shri N.B.Surti, Superintendent (Judicial) in the office of the Charity Commissioner has requested for an extension of service for one year from the date of his superannuation. He is to superannuate with effect from 21st September 1953.

2. Shri Surti has been working in this office since 28th January 1952. He was confirmed in this post in the grade of Rs.300-20-500 on his completing one year of service in this office with retrospective effect from 28-1-1952. Before joining this Department, Shri Surti was working in the Judicial Department. He has worked as Clerk of the Court in the District Courts of Surat, Broach, Nadiad and Baroda.

3. Shri Surti has long and varied ~~experience~~ experience to his credit. He has been discharging his duties diligently and faithfully ever since he joined this Department. This office started functioning from 21-1-1952, and in the initial stages it is of utmost impertance to have an experienced and tried hand as the Superintendent in this office. It will be in the interest of this Organization to retain the services of Shri Surti for one year more from the date of his superannuation. He is physically fit to discharge his duties.

This application may be forwarded to L.D. for necessary orders.

Id/- 1/7/53

A. C. C.

C.C. 4

Shri Surti's long experience in the Judicial department has been of considerable value to this infant Organization and his continuance would be in its best interests.

I, therefore, suggest that he may be re-employed for one year on superannuation on usual terms. The Superintendent of the Ahmedabad office was re-employed for similar reasons although for a different period.

Id/-

Charity Commissioner.

Secy.L.D.

( U.o.r. to Secy.L.D.No.Confl. 83/53,dated 1st July 1953).

R.D.P.
7/8/56.

S.C.

L.D.R.I.No. 861-Confl./2-7-53.

Submitted.

This is a request from Shri N.B.Surti, Superintendent, Charity Commissioner's Office, Bombay, in the grade of Rs.300-20-500, who is due to retire with effect from the 21st Septr. 1953, on Superannuation, for grant of an extension of service for one year from the date of retirement on the ground that he has to give education to his yongest daughter who has been admitted in a Collage at Baroda.

The Charity Commissioner, Bombay has forwarded Shri Surti's request stating that he may be re-employed for one year on superannuation on usual terms on the grounds that Shri Surti's long experience in the judicial department has been of considerable value to the infant organization and his continuance would be in its best interests. The C.C. quotes the instance of Shri Trivedi, Supdt,, Ahmedabad office who was re-employed for similar reasons but for a short period.

Rule 161 of the B.C.S.Rs. states that a Govt. servant may be retained in service after he attains the age of 55 years only with the previous sanction of Govt. on Public grounds, which must be recorded in writing. It is the policy of Govt. to grant in as few cases as possible such extensions. It is now more than a year that the office of the Ch.Commr. started functioning and so it cannot be said that it is still in the initial stages. It may be true that Shri Surti has a long and varidd experience to his credit. But this ground is not enough to grant an extension to Shri Surti just as Shri Surti has long and varied experience in judicial deptt., so also there are other persons in the C.C's office or Dy. C.C.'s office who have got sufficient experience. In the case of Shri Trivedi, Supdt, Ahmedabad Office the circumstances were quite different. The Dy. Ch. Commr. Ahmedabad, was to retire shortly and it was absolutely necessary to have an experienced Supdt. for some time until the new Dy.Ch.Commr. became familiar with the work of the region. Shri Trivedi was therefore re-employed only for a short period of 4 months.

Attention in this connection is also invited to the C.C.'s note dated the 20th February 1952, in which he has stated that Shri Peshimam, Supdt. in the Greater Bombay Regional Office in the grade of Rs.250-10-300-15-345 can be appointed Supdt. in his office on the retirement of the present incumbent Shri Surti, in September 1953. Attention is also invited to the last para. of Secy.'s (Shri Lad) note dated 21-12-1952. In view of the C.C's suggestion and also Secy's note, if, Shri Peshimam, who has also got long and varidd experience and who should not ordinarily be expected to work on Rs.350/- for next 15 years of his service may be appointed to the post of Supdt. in the grade of Rs. 300-20-500 in the C.C's office provided he is found fit.

5. If approved the Charity Commr. may be informed that no extension to Shri Surti can be granted. Shri Peshimam, Supdt. Greater Bombay Regional Office may be appointed to the post of Supdt. in the C.C's office vice Shri Surti on his retirement from 21st September 1953, if, found efficient.

Id/- 3/7
Supdt.

Id/- 3/7
S. A. S.

In his note dt.20-2-52, the Charity Commissioner observed that Shri Peshimam can be appointed as Supdt. in his office on retirement of the ~~K~~ present incumbent, Shri Surti, in Sept 1953. Shri Peshimam who is an M.A., LL.B. was Secy. of the Bombay Wakf Committee from 1.8.40 till his absorption as Supdt. in the Regional office, Greater Bombay. In view of his long experience as Secy. Bombay Wakf Committee and also as Supdt. in the Regional Office, Greater Bombay, Shri Peshimam would appear to be a proper person to succeed Shri Surti, unless the Charity Commissioner considers that he will not be suitable as Supdt. in the Charity Commissioner's office. If the Charity Commissioner's proposal for re-employment of Shri Surti is accepted, the papers will have to be shown to the P. & S.D. and F.D.

p.218 of file Est.II/Charity Commr./52 Slip k

(see also pp 224-225-De)

Id/- 4/7
Addl. Secy.

In my opinion the recommendation of the Charity Commissioner should be accepted for the reasons contained in his letter. The Charity Commissioner is still an infant organization, and as it is stated that Shri Surti's long experience in the Judicial Dept. has been of considerable value to the Charity Commissioner, I am in favour of re-employing him for one year. I have discussed with Charity Commissioner who presses for the proposal, and stated that if Shri Peshimam is taken, the problem will be to find a successor for him in the Regional Office.

P.& S.D. and F.D. may see U.O. Office.

Id/- 7/7

U.R. to P. & S.D. No.863/C Confl., dated the 7th July, 1953.
F. D.

With L.D. files (1) Est: II/ Charity Commr./52
(2) Est. II/ C. C. /53

P. & S.D.
D.Br.

The L.D. will pl. ascertain whether no other arrangements are at all possible and what would be done to replace Shri Surti after the expiry of the re-employment period of one year now proposed. It is the notice of Govt. not to re-employ superannuated persons except in very exceptional circumstances and if arrangements can conveniently be made to replace Shri Surti, the P. & S.D. may advise that the proposal to re-employ him should be dropped. The pp. may be returned to the L.D. with these remarks.

Id/- 13/7

The re-employment of superannuated persons is to be resorted to in very exceptionally circumstances only. The criterion should be that no suitable person is available to replace the existing incumbent L.D. may please reconsider.

Id/- 15/7

U.R. to L.D. (with file) dt. 15/7.

R.D.P.
7/8/56
S. C.

Legal Department.
949-Confl./ 15-7-1953.

Submitted.

2. The U.S.,P.& S.D. has observed in his note dated 13-7-1953 that the re-employment of superannuated persons is to be resorted to in very exceptional circumstances only and that the criterion for the proposal for re-employment should be that no suitable person is available to replace the existing incumbent. In the light of this observation the L.D. has been requested to reconsider the proposal of granting extension to Shri Surti.

3. For orders.

Id/- S.S. 19/7

A reference may in the first instance be made to the C.C. Bombay on the lines at "A" above.

Id/- S. & S. 17/7

The remarks of the U.S., P.& S.D. may be brought to the notice of the Charity Commissioner, and he may be requested to state whether the proposal for Shri Surti's re-employment for a period of one year is made on the ground that no suitable person is available to replace him.

Id/- 17/7
Secy.

Id/- 18/7

R.D.P.
7/8/56

S.C.

Confidential.

No. 927/Cm-Confl.
Legal Department,
Bombay Castle(Bombay No.1) 20th July'53

To

The Charity Commissioner,
Bombay.

Subject :- Reemployment of Shri N.B.Surti.

Sir,

I am directed to state that Government considers that the re-employment of superannuated persons is to be xxxxxx resorted to in very exceptional circumstances only and that the criterion for the proposal for re-employment should be that no suitable person is available to replace the existing incumbent. I am, therefore, to request you to state whether the proposal for Shri Surti's re-employment for a period of one year is made on the ground that no suitable person is available to replace the existing incumbent.

Yours faithfully,

Sd/-
Secretary to Government,
Legal Department.

R.D.P.
7/8/56

S.C.

CONFIDENTIAL.

No. 106/Confl.
Office of the Charity Commissioner,
Bank of India Building, 4th Floor,
Flora Fountain, Fort, Bombay No.1.

30th July 1953.

Dear Meher,

I write to reply your letter No. 927/C-Confl. of 20th July 1953 regarding the re-employment of Shri M.B. Surti and to state that the proposal has been made because no suitable person is available to replace him. The only person who can possibly replace him is Shri A.Q.M.Pesh-Imam, Superintendent of the Greater Bombay Region Office, but it will dislocate his office if I transplant him at this stage. This is an infant Organization and if too many changes are made in the key personnel in its infancy, it will not be able to make satisfactory progress. It was on this ground that the re-employment of the Superintendent at Ahmedabad was recommended by me in the past and that recommendation was accepted. Moreover, Shri Surti has had a long and varied experience in several District Courts and I have found him not only efficient in work but also useful in training the new staff. I therefore think that his re-employment is absolutely essential at this stage.

Yours sincerely,

Sd/-(D.R.Pradhan).
30-7

Shri M.R.Meher,I.C.S.(Rtd).,
Secretary to Government,
Legal Department,
BOMBAY.

R.D.P.
7/8/53

S.C.

Legal Department.
1058-Confl./31.7.53.

Submitted with pp.

2. Please see this Department letter No.927/C-Confl. dated the 20th July 1953 addressed to the Charity Commr. Bombay and the Charity Commissioner's reply thereto. In view of what has been stated by the Charity Commr., Shri N.B.Surti may be reemployed for a period of one year on the usual terms. The P.& S.D. and F.D. may see u.s. for approval.

Id/- 31/7

Id/- 31/7
S. S.

Id/- 31/7
S. A. S.

In view of the position now explained by the C.C. his proposal to re-employ Shri Surti may be accepted.

Id/- 31/7

Secy.

U.O.R. to P.& S.D. F.D. No. 1018/C-Confl., dt. 3-8-1953.

P. & S.D.
D. Br.

Submitted with reference to the O.N., dt. the 13-7-53.

2. In view of what is stated by the L.D. the P.& S. may not object to Shri Surti being re-employed for a year after superannuation on the usual terms, as proposed for the L.D.

Id/- 10/8

U.O.R. to F.D. dt. 12/8/53

Fin. Deptt. Br. X

Seen and returned to the L. D.

Id/- 27/8

u.o.r. to the L.D. dt. 28-8-53.

Legal Department.

10-P-Conf1/3-9-1953.

Submitted.

2. The P.& S.D. and F.D. have agreed to our proposal for reemployment of Shri N.B.Surti for a period of one year on the usual terms.

3. The accompanying letter put up for approval & signature may issue to C.C.

Id/- 8/9

Xxxxx

As the orders have been issued in consultation of P.& S.D. and F.D. copies may be endorsed to there Deptts & a copy may also be sentx to the A. G.

Id/- 9/9

S. S.

I agree. pl. put up copies.

Id/- 9/9

S. A. S.

R.D.P.
7/8/56.

S.C.

No. 18477/C.
Legal Department,
Bombay Castle (Bombay No.1), 10th September 1953.

To

The Charity Commissioner,
Bombay.

Subject:- Re-employment of Shri N.B.Surti, Superintendent in the Office of the Charity Commissioner, Bombay.

* * * * *

Sir,

With reference to your letter No.106/Confl., dated the 30th July 1953, on the above subject, I am directed to inform you that Government has agreed to the reemployment of Shri N.B.Surti for a period of one year on the usual terms.

Yours faithfully,

Sd/-

For Secretary to Government,
Legal Department.

Copy to -

The Accountant General, Bombay (through the F.D.
The Finance Department,
The Political and Services Department.

R.D.P.
7/8/56

S.C.

No.4629 of 1953.
Office of the Charity Commissioner,
Bank of India Building, 4th Floor,
Flora Fountain, Fort, Bombay No.1.

Dated : 25th September 1953.

OFFICE ORDER - No. 45

Read Government Letter, Legal Department, No.18477/C, dated 10th September 1953 intimating Consent of the Government to the re-employment of Shri N.B.Surti, Superintendent in the Office of the Charity Commissioner, Bombay for a period of one year on the usual terms.

Shri N.B.Surti, Superintendent, (Judicial) in the offie of the Charity Commissioner, Bombay should be re-employed for a period of one year, with effect from 21st September 1953 on the same post on a salary equal to his retiring pay minus pension.

Shri N.B.Surti has neither received his pension/payment order nor any provisional pension order from the Accountant General, Bombay though his pension papers are sent to the Accountant General, Bombay. The amount of pension found due to Shri N.B.Surti as per pension papers is Rs.136-6-0 and it is still to be verified by the Accountant General, Bombay.

Pay of Shri N.B.Surti during the period of re-employment is provisionally fixed at Rs.183-10-0 p.m. (Rs.320/-pay last drawn minus Rs.136-6-0, the amount of pension) vide Government Resolution, Finance Department, No. 1768/33 dated 16th August 1952, with usual allowances, on a written undertaking to the effect that in case the amount of pension found due is more than Rs.136-6-0, the excess amount of pay will be refunded by him.

Sd/-

Charity Commissioner,
Bombay.

Copy forwarded with compliments to:-

The Secretary, Legal Department, Bombay with reference to Government Letter, Legal Department, No.18477/C, dated 10th September 1953.
The Accountant General, Bombay.

R.D.P. 7/8/56
S.C.

No. 12455/C.
Legal Department.
Bombay Castle, 5th June 1953.

To

The Charity Commissioner,
Bombay.

Sir,

As the post of the Establishment Officer in your office has been abolished from the 5th April 1953, it is presumed that the post of the peon attached to him has been retrenched with effect from that date vide Government Resolution, Finance Department No.7983/33, dated the 20th May 1952. If this has not already been done it may be done as early as possible and this Department informed accordingly.

Yours faithfully.

Sd/-
Assistant Secretary to Government.
Legal Department.

R.D.P.
7/8/56

S.C.

2733
No. ~~3356~~ of 1953.
Office of the Charity Commissioner,
Bank of India Building, 4th Floor,
Flora Fountain, Fort, Bombay No.1.

Dated: 8th July 1953.

From

Shri D.R.Pradhan, I.C.S.
Charity Commissioner, Bombay.

To

The Secretary to Government,
Legal Department, Bombay.

Sir,

Referance Government Letter, Legal Department M 12456/C, dated 5th June 1953.

2. I have the honour to invite attention to para 6 of this office letter No.2606, dated 3rd June 1953, and to state that it has been recommended by me that the post of a peon attached to the Establishment Officer may be allowed to be retained till 28th February 1954. Pending decision of Government in this connection, the post in question is being continued.

Yours faithfully,

Sd/-
Charity Commissioner,
Bombay.

R.D.P.
7/8/53

S.C.

VERY URGENT

No.3156 of 1953.
Office of the Charity Commissioner
Bank of India Building, 4th Floor,
Flora Fountain, Fort, Bombay No.1.
Dated : 8th July 1953.

From

Shri D.R.Pradhan, I.C.S., J.P.
Charity Commissioner, Bombay.

To

The Secretary to Government,
Legal Department, Bombay.

Sir,

Reference Government Letter, Legal Department No.14409 C, dated 6th July 1953.

2. I have the honour to state that the post of a peon attached to the Establishment Officer was a permanent one and consequent on the abolition of the Establishment Officer's post, the post in question is being retrenched. The appointment of the peon was neither made tem a temporar post nor was it made "until further orders". At the time of his appointment on 2nd January 1952, the peon was informed that he had been appointed to ak temporary post and that he would be on probation for a period of one year in the first instance. Although according to Government Circular, Political & Services Department, No.1581/34, dated 9th August 1947, the peon is not entitled to one month's notice of discharge, in giew of the peculiar circumstances in which the post of a peon has been retrenched it was considered desirable to serve him with one month's notice of ~~dismiss~~ discharge. Under this office memorandum No.2867, dated 23rd June 1953, the peon has already been informed that his services as a class IV servant would be terminated on 31st July 1953.

3. In the circumstances, it is requested that the post of the peon may be retrenched with effect from 1st August 1953.

Yours faithfully,

Sd/-
Charity Commissioner, Bombay.

R.D.P.
7/8/56
S.C.

Legal Department.

10512/2/7/53.

The Charity Commissioner's letter overleaf may be shown u.o.r. to the Fin. Deptt. for information in continuation of this Deptt. u.o.r. No. 14070/C, dt. 8/7/53.

Id/-

Id/-

Id/-

u. o. r. to F.D.No. 14702/1, dt. 20/7/1953.

F.D. VIII

It is stated overleaf that the peon in not entitled to notice of discharge. The L.D. may therefore be advised to retrench the peon immediately. Responsibility for the avoidable extra expenditure may also be fixed.

Id/-

u.o.r. to L.D. dt. 20/7/53.

L.D.

17553/21-7-53.

Submitted.

2. Please see F.D. u.o.r. above.

3. The accompanying letter put up for approval may issue to the Ch. Commr. B'bay.

Id/-

S. A. S.

Immediate.

No. 15491/C.
Legal Department,
Bombay Castle (Bombay No.1)
21st July 1953.

To

The Charity Commissioner,

BOMBAY.

Sir,

With reference to your letter No.3156, dated the 8th July 1953, I am directed to state that Government considers that as the peon is not entitled to notice of discharge, he should be retrenched immediately, and the responsibility for the avoidable extra expenditure may also be fixed.

Yours Faithfully,

Sd/-

Assistant Secretary to Government.
Legal Department.

R.D.P.
7/8/56

S.C.

No. 3433 of 1953.
Office of the Charity Commissioner,
Bank of India Building, 4th Floor,
Flora Fountain, Fort, Bombay No. 1.
Dated : 22nd July 1953.

From

Shri D.R.Pradhan, I.C.S.,J.P.,
Charity Commissioner, Bombay.

To

The Secretary to Government,
Legal Department, Bombay.

Sir,

Reference Government letter, Legal Department, No.15491/ dated 21st July 1953.

2. I have the honour to state that in accordance with the instructions issued in the Government letter referred to above, the peon has been retrenched with effect from 21st July 1953 after office hours. Necessary orders retrenching one post of a peon in my office with effect from 22nd July 1953 may now be issued.

3. As regards fixing the responsibility for the avoidable extra expenditure, I have to observe that Government letter No.14409/e, dated 6th July 1953, was received in my office on the 6th July 1953. In reply thereto in my office letter No.3156,dated the 8th July 1953, the circumstances under which it was considered desirable to serve the peon in question with one month's notice of discharge were fully explained. Although according to Government Resolution, Political & Services Department, No.1881/34,dated 9th August 1947, the peon was not entitled to one month's notice, in view of the peculiar circumstances, viz., his appointment was on probation and the post that he was holding was a permanent one, it was thought equitable to serve him with one month's notice of discharge. Under these circumstances, the peon was continued after 6th July 1953. As soon as the Government letter referred to in para 1 above was received, immediate steps were taken to retrench the peon. I may observe here that there was no question of disobeying the Government orders. The post was continued after 6th July

July 1953 pending receipt of Government orders on my letter No.3150, dated 8th July 1953, and as such there is no question of avoiding extra expenditure. In view of these facts, there is no ground for fixing responsibility for the extra expenditure.

4. In the circumstances, it is requested that orders regarding the retrenchment of one post of a Class IV servant in my office with effect from 22nd July 1953 may please be issued.

Yours faithfully,

Sd/-

Charity Commissioner,
Bombay.

R.D.P.
9/8/56.

S.C.

Legal Department.
17601 / 24-8-1953.

Submitted with pp.

2. Please see this Deptt. letter No.15491/C,dated the 31st July 1953 addressed to the Charity Commr. Bombay. Please see the Charity Commr's letter No.3433,dated the 22nd July 1953 in reply thereto.

3. In this connection it is pointed out that the peon attached to the Establishment Officer should have been retrenced by the Charity Commr. with effect from the 5th April 1953, the date from which the E.O's post was abolished. When it was understood that the peon was not retrenched, the peon as early as possible and inform this Deptt. accordingly (vide this Deptt. letter No.12485/C,dated the 5th June 1953). The Charity Commer., however, recommended to Govt. for the continuance of the post of the peon in question till the 28th Feb. 1954 in his proposal for continuance of the temporary staff sanctioned in G.R.L.D.No.1174/C,dated the 19th January 1953 till the 28th Feb.1954. The former issue should not, however, have been mixed up with the latter case. Again on the advice of F.D. the Charity Commr. was informed under this Deptt. letter No.14409 /C,dated the 6th July 1953 that if the peon in question was not entitled to one month's notice of discharge as laid down in G.C.P.& S.D.No.1581/34,dated the 9th Aug.1947, he should be discharged immediately. To this the Charity Commr. replied that although the peon in question was not entitled to one month's notice of discharge he was served with one month's notice on account of the peculiar circumstances in which the post of the peon had to be retrenched and that he would be discharged with effect from the 1st August 1953.

4. The peon has since been retrenched with effect from the 22nd July 1953. It is true that he should have been retrenched simultaneously with the abolition of the E.O's post; but in view of the peculiar circumstances in which he was continu-

continued, as explained by the Charity Commr. inx his letter No.3433, dated the 22nd July 1953, the question regarding the fixing of the responsibility need not be pursued further The Finance Department may see u.o. for concurrence.

Id/- 31/7

Id/- 1/8

S. S.

Id/- 1/8

S. A. S.

U. O. R. to Finance Deptt. No.16280/C, dt. 3-8-1953.

F.D. VIII

Submitted with reference to office note dt. 17-7-1953 on p. 10 ante.

In view of the foregoing remarks of the Legal Deptt. F.D. may agree not to parsue the question regarding fixing of responsibility for the avoidable expenditure. The K L.D. may kindly see whether expost facto sanction is necessary till the actual retrenchment of the post

Id/- 19/8

U.O.R. to L.D. dt. 19.8.1953.

R.D.P.
9/8/56.

S.C.

Legal Department.

20590/22-8-1953.

Submitted.

2. Please see F. D. u.o.r. at p. 16 ante. The F.D. has agreed to our proposal and requested this Deptt. to see whether ex-post-facto sanction is necessary till the actual retrenchment of the post.

3. Since the post of the peon attached to the E.O. should have been abolished from 8-4-1953 simultaneously with the abolition of the post of the R.O., it would be necessary to issue orders xkk sanctioning th continuance of the same till the actual date of retrenchment.

4. The draft G.R. giving ex-post-facto sanction is put up for approval.

Id/- 3/9

Id/- 4/9

S. S.

Id/- 4/9

S. A. S.

R.D.P.
9/8/56

S.C.

Abolition of the Post of a peon in the Office of the Charity Commissioner, Bombay.

GOVERNMENT OF BOMBAY,
Legal Department,
Resolution No.18435/C
Bombay Castle,10th September 1953.

Read Government Resolution, Legal Department No. 7599, dated the 4th May 1951.

Read Government Resolution, Legal Department No. 9545/C, dated the 23rd April 1953.

RESOLUTION :- As a special case, Government is pleased to accord sanction to the continuance of the post of the peon attached to the Establishment Officer in the Office of the Charity Commissioner, Bombay, from 8th April 1953 to 21st July 1953 and its abolition from the 22nd July 1953.

By order and in the name of the Governor of Bombay,

Sd/-
( K.P.Bhangara)
Assistant Secretary to Government,
Legal Department.

To

The Accountant General, Bombay (through the Finance Department),

The Finance Department,

The Charity Commissioner, Bombay.

R.D.P.
9/8/56

S.C.

No. 6508 of 1953.
Office of the Charity Commissioner,
Bank of India Building, 4th Floor,
Flora Fountain, Fort, Bombay - 1.
Dated: 9th November 1953.

From

Shri D.R.Pradhan, I.C.S.,J.P.,
Charity Commissioner,
Bombay.

To

The Secretary to Government,
Legal Department,
Bombay.

Sub:- Continuance of the temporary post of Night Watchmen in the Public Trusts Registration Office, Ahmedabad.

Sir,

Reference G.M.,L.D.No.19601/C,dated 24-10-1952 and G.L.,L.D.No.20955/C,dated 13th December 1952.

2. I have the honour to state that under the G.M. referred to above, a temporary post of a Night Watchman (class IV servant) in the office of the Deputy Charity Commissioner, Ahmedabad Region,Ahmedabad, was created for a period of one year in the first instance with effect from the date of actual appointment. A watchman was accordingly appointed on 12-1-53, and the present sanction to the temporary post would thus expire on 11-1-1954.

3. In view of the peculiar location of the Public Trusts Registration Office, Ahmedabad, and for the safety of Government money and office record it is necessary that the temporary post should be continued beyond the date of the present sanction. It is therefore requested that the temporary post may be continued for a further period of one year with effect from 12-1-1954. I may add that the necessary budget provision for the next financial year,i.e., 1954-55 has already been included by me in the relevant part II-A Budget estimates for the next year.

Yours faithfully,

Sd/-
Charity Commissioner,
Bombay.

R.D.P.
9/8/56
S.C.

L.D.R.I.No.26366/10-11-53.

Submitted.

2. For the reasons stated by the Charity Commissioner, Bombay in his letter No.2077, dated the 16th July 1952, a temporary post of a night watchman (class IV servant) was created for the office of the Deputy Charity Commissioner, Ahmedabad Region, Ahmedabad on a fixed pay of Rs.30/-p.m. plus D.A. admissible and other allowances admissible to class IV servants at Ahmedabad in accordance with G.R.F.D. No.6567/33-IV, dated the 15th January 1948, for a period of one year in the first instance with effect from 12-1-1953. The present sanction will therefore expire on 11-1-1954.

3. The Charity Commissioner, Bombay for the reasons stated in his letter No.5508, dated the 9th November 1953 states that it is necessary that the temporary post of the night watchman should be continued beyond the date of the present sanction and requests that the temporary post may be continued for a further period of one year with effect from 12-1-1954. The necessary budget provision for the next financial year has been included in part II-A Budget Estimates for the next year.

4. In the circumstances stated by the Charity Commissioner, Bombay, the F.D. may be requested to sanction the continuance of the temporary post of a night watchman on a fixed pay of Rs.30/- p.m. and other admissible allowances for a further period of one year with effect from 12.1.1954

Id/- 12-11

Supdt.

Id/- 13-11

S. A. S.

U. R. to F. D. No. 22904/C, dated 14-11-53.

with L. D. file No. Est. II - Charity Commr./52.

Finance Deptt. VIII

The L.D. proposal may be agreed to.

2. The exact source from which the expenditure is to be met should be specified in the orders to be issued.

Id/- 4-12

U. O. N. to L.D., dated 7-12-53.

Legal Department.

Submitted.

The F.D. agrees with the L.D. proposal and x sanctions the continuance of the temporary post of a night watchman in the office of the Dy. Che Commr., Ahmedabad Region, Ahmedabad for a further period of one year with effect from 18-1-1954. The necessary orders may now issue. O.C. and F. C. of the memo are put up for signature .

Id/- 11-12

Id/- 11-12

Supdt.

Id/- 11-12

S. A. S.

R.D.P.
9/8/54.

S.C.

No. 25118/C,
Legal Department,
Bombay Castle, 11th December 1953.

Memorandum.

The undersigned presents compliments to the Accountant General, Bombay, and is directed to convey the sanction of Government to the continuance for a further period of one year with effect from the 12th January 1954 of the x temporary post of a night watchman (class IV servant) in the office of the Deputy Charity Commissioner, Ahmedabad Region, Ahmedabad, created by G.M.,L.D.No.17601/C,dated the 24th October 1952.

2. The expenditure will be met from the sanctioned grants under "25-General Administration-E-District Administration-Q-General Establishment-Q.1(c)-Regional Staff of Charity Commissioner-Q.1(c)(2)-Pay of Establishment."

By order and in the name of the
Governor of Bombay,

Sd/-

Assistant Secretary to Government.

To

The Accountant General,Bombay(through the F.D.).

Copy to :

The Finance Department,
The Charity Commissioner, Bombay,
The Deputy Charity Commissioner, Ahmedabad Region, Ahmedabad.

R.D.F.
9/8/56

S.C.

Office of the Charity Commissioner.

Subject:- Preparation of Directory of Public Trusts. Appointment of temporary staff for the purpose of. -

Submitted.

Inaugurating the conference of Deputy/Asstt. Charity Commissioners on 21st July 1962. the Minister afor Law said as under:-

"Unless registration is completed withinka very short period and the information which we have received till now is put to the public, all these trusts which are not till now on your record are not likely to be reported. In order to invit co-operation of the public, it is necessary that we should place before it the information which we have got till now. That could be done only after registration is completed by ye Once you do it, it is my intention to see that the infommatio received till now is published for public information. It is then and then only that the hidden trusts will come out and public will give out all the necessary information about thes

2. The work of registration is practically over in Greater Bombay and Ahmedabad regions and will soon be over in Poona and Kolhapur regions. M(Law), therefore, desires that the question of preparation of a Directory of Public Trusts shoul now be taken up. The Charity Commissioner has orally discuss ed with the M(Law) the contents of the Directory. It is proposed that the Directory may be brought out in loose-leaf book form, so that the information in the Directory can be easily made up to date from time to time. It is also propos that the Directory should give information regarding public trusts in the form attached herete. The information will be given Region wise, District wise and Religion wise (viz. (A) Hindu, Jain, Budhist, Sikh (B) Muslim (C) Parsee (D) Other religions (E) Cosmolitan (F) Societies registered under the Societies Registration Act.) The trusts will be arranged alphabetically.

To facilitate reference the Directory will also contain an Alphabetical Index of Trusts according to objects etc. as follows:-

(i) Beggars.

(ii) Education.

~~(iii)~~ Construction of School buildings.
Publication of books.
Scholarship.

(iii) Famine Relief.

(iv) Flood Relief.

(v) Housing.

(vi) Libraries.

vii) Medical Relief.

Dispensaries.
Hospitals.
Maternity Homes.
Sanitoria.

(viii) Reading Rooms.

(ix) Wedding Halls.

3. For this work, special temporary staff will be necessary. It is proposed that for each region in the Mofussil one Junior clerk in the grade of Rs.46-3-88 E.B. -4-125-130, one Junior clerk for the Greater Bombay Region in the scale of Rs.75-5-140 E.B. -6-200 xxxxxxxxx and one clerk for Charity Commissioner's office in the grade of Rs.75-5-140 E.B. -6-200 may be sanctioned for a period of 3 months, in the first instance. Sanction to hire a typerwriter may also be given to all the offices for the same period.

4. The cost on account of the pay and allowances of one Junior clerk in the Public Trusts Registration Office, Greater Bombay Region, Bombay and one in the Charity Commissioner's Office, as also the hire charges for the typerwriters may be initially debited to 25-General Administration-C-Secretariat and Headquarters-Establishment-K-Secretariat-K-7(a) Charity Commissioner" reimbursed to Government from the Public Trusts Administration Fund at the end of the financial year. So far as the cost on account of the pay and allowances of the five junior clerks and the hire charges for the typeriters in the Mofussil regional offices are concerned, the same may be initially debited to "25 General Administration-K-District Administration-Q-General Establishments-21(c)-Regional staff of Charity Commissioner" and reimbursed to Government from the Public Trusts Administration Fund at the end of the financial year. There will be no extra cost xx to Government as the expenditure in question will ultimately be met from the Public Trusts Administration Fund. The extra expenditure will be met

from the sanctioned budget grants.

Id/- 24/9
A.C.C.
Id/- 24/9
C. C.

I would like to discuss this with the Charity Commissioner. Already there are complaint that the Charity Commissioner's office is overstaffed. Wh can this work be done by the staff he has. The comp of the Directory should be the ordinary only of the staff

Charity Commissioner.

The existing staff is at present fully occupied inquiry work and as Govt. intention is to take in t this work immediately, the additional staff may be s ed. As will be seen from these papers, preliminary for the collection of information for the preparation the directory has already been completed and the cos the additional staff which is not much will be small from the Public Trusts Administration Fund.

Submitted.

1. The Charity Commissioner, Bombay, states that t desires that the question of preparation of a Direct Public Trusts should now be taken up. The Charity C has orally discussed with the M(Law) the contents of Directory. It is proposed that the Directory may be brought out in loose-leaf book form so that the info tion in the Directory can be easily made up to date time to time. For doing this work the Charity Comm requested that special temporary staff

in the scale of Rs.46-3-55 EB. 4-125-130 for each of the five regions in the mofussil and one junior clerk in the scale of Rs.75-5-140 EB. 6-200 xxx for the Greater Bombay Region and one clerk for Charity Commr's Office in the scale of Rs.75-5-140 EB. 6-200 may be sanctioned for a period of three months in the first instance. The Charity Commr. has further requested that sanction for the hire of a typewritier may also be given to all the offices for the same period. The source to meet the extra expenditure incurred in the proposal has been pointed out in para 4 of C.C's Office note d/- 24-9-1953. The Secretary (Shri Dhurandhar) in his note d/- 26-9-1953 has observed that the work of preparation of Directory should be the ordinary duty of the existing staff. The Charity Commr. in his note d/- 14-10-1953 has stated that the existing staff is at present fully occupied with inquiry work and as Govt. intention is to take in hand this work immediately the additional staff asked for may be sanctioned. The Charity Commr. has further stated that the preliminary work after the collection of information for the preparation of the Directory has already been completed and the cost on account of the additional staff which is not much will be easily met from the P.T.A.Fund.

2. For orders.

Id/- 19.10

S. S.

Id/- 20-10.

S. A. S.

Give an estimate of the additional expenditure likely to be incurred. If the proposal is sanctioned.

Also ascertain about the establishment in each Regional Office, including C.C's Office.

Id/- 20-10

C. C.

Submitted with reference to S.A.S's queries.

The extra expenditure on account of pay and allowances

of the extra staff and the charges for the hire of typewriters would be about Rs.3.000/-. The establishment under the Charity Commr. in his own office and the Regional Offices is shewn at pages 4 and 5 of the Report of the Estimates Committee put up herewith. The temporary staff which has hitherto been sanctioned upto the 28th February 1953 is shewn in pencil in the Report put up.

It is informally understood from the Remington Typewriters Co. that they charge at Rs. 25/-per month for hire of a machine.

Id/- 21-10

Please put up details as regards Rs.3000/- mentioned above.

Id/- 22-10

S. S.

Resubmitted.

The details of extra expenditure involved in the proposal are as shewn in the margin viz Rs. 2847 and it was seen that a round sum of Rs.3000 was estimated.

1) C.C's office and Gr.Bombay Region
75 pay . 45 D.A.
120
120x2x3- 720
5

2) Mofl.Region
85 pay 45 d.a.
100
100 x 5 x 3-1500

3) Comp. area at Ah'bad & Kolhapur h.r.a.at Ah'bad, Baroda Poona.
34 x 3 = 102

4) Hire of Typewriters
25 x 7 x 3 = 525

720
1500
102
525
Rs. 2847

The Charity Commissioner, Bombay intends to bring out in loose-leaf book form, the Directory containing information regarding public trusts Region-wise, district-wise and religion-wise. To facilitate reference the Directory will also contain an alphabetical index of the Trusts according to object etc. The C. C. states that a temporary staff will be necessary for preparing the said Digest, and proposes that for each Region in the Mofussil, one Jr. clerk in the grade of Rs. 65-3-86 E.B.-4-125-130, one Jr. clerk for the Greater Bombay Region in the scale of Rs.75-5-140-E.B.-6-200 and one clerk in C.C's office in the grade of Rs.75-5-140-E.B.-6-200 may be sanctioned for a period of three months in the first instance. He also asks for sanction for hire of typewriters for all the the office for the same period.

In his note dt/- 26-9-53, Secy.(Shri Dhurandhar) remarks that already

that already there were complaints that C.C's Office was overstarred and that the compilation of the Directory should be the ordinary duty of the existing staff. The C.C., however, states that the existing staff is at present fully occupied with the inquiry work and as Govt. intention is to t ~~think~~ take in hand this work immediately, the additional staff may be sanctioned. In this, connection, it may, however, be pointed out that in para 2 of his note dt/- 24-9-53, the C.C. states that "the work of registration is practically over in Greater Bombay and Ahmedabad Regions and will soon be over in Poona and Kolhapur regions". Moreover, in his note dt/14-10-53 he remarks that "preliminary work ~~of~~ for the collection of information for the preparation of the Directory has already been completed etc." When, in addition to the permanent staff of Jr. clerks, twenty-one temporary Jr. clerks have sanction upto the end of Feb.1954, and the registration work will soon be over, there appears no justification for sanctioning the additional staff asked for by the C.C. for preparing the Directory, when preliminary work has already been done.

~~X~~ Vide Statements at pp. 4-5 of estimates Committee Report. (Copy put up below).

Id/-

S. A. S.

By 'A' the C. C. means that material necessary for preparing a directory has been collected. He wants additional staff for properly arranging the material. This request for one additional junior clerk for each office does not appear to be unreasonable. The proposed directory will be a very useful publication and the earlier it is out the better.

Id/- 27/10

Secy.

The Directory will be very useful indeed. The additional staff required is only one clerk for each office for a period of three months. That seems quite reasonable. F.D. may please see.

Id/- (P.M.L.) 27/10

P.D.VIII

The proposed is to create seven posts of clerks for a period of three months for compilation of a Directory of Public Trusts. All the material for it is already collected. It is required to be arranged alphabetically.

Please see the Estimate Committee Report for 1953-54 It is stated therein that there is no proper ration of wor and posts in the regional offices. That the present staff is fully occupied is not proved by production of statistics of work done by the staff in the last six months. On the other hand the Estimate ~~Kix~~ Committee be stated that there disposal in the Baroda region are too low.

This may be returned to the Legal Deptt. with request to kindly furnish the information referred to at 'A' above in the first instance. The proposal for additional staff will be justified only if it is proceed that the existing staff has adequate work load.

Id/- 2/11

The Charity Commissioner has stated in his note dated 24-9-53 that the work of registration was practically over in Greater Bombay and Ahmedabad regions and would soon be over in Poona and Kolhapur divisions. Hence that work must now have been completed during the last one and a half months. 21 temporary posts of junior clerks have been sanctioned upto 28-2-54 for the purpose of registration The Charity Commissioner may, therefore, utilise 7 out these clerks for the purpose of preparing the directory and he should be requested to retrench the remaining 14 posts as early as possible

Id/- 4-11

U.O.R. to L.D. dt. 4-11-53.

Legal Department.

26740/ 9-11-1953.

Submitted,

The Finance Department has not agreed to our proposal and has advised that out of the 21 temporary posts of junior clerks which have been sanctioned upto 28/2/54 of Junior Clerks may be utilised for the purpose of preparing the Zilla directory and the remaining 14 posts of junior clerks should be retrenched as early as possible.

For orders. This may be shown to the C.C. for remarks before deciding the matter finally. The C. C. may see the remarks of D.S. F.".

Id/- 10/14

Secy.

U. O. R. to C. C. No. 22644/ dt. 11 - 11 - 53.

R.D.P.
9/3/56.

D.C.

Office of the Charity Commissioner.

Submitted with reference to the L.D. note on the page. The D.S.,P.D., has stated that the work of registration in the Poona and Kolhapur Regions must be over by now. He has further added that 21 posts of junior clerks have been sanctioned upto 28-2-1954 for the purpose of registration and has suggested that 7 out of these temporary clerks may be utilised for the preparation of the directory and the remaining 14 posts may be retrenched as early as possible. The following remarks are offered:

2. At the outset, it must be stated that out of the 21 temporary posts, 14 have been sanctioned in order to enable the regional Deputy & Assistant Charity Commissioners to expedite and complete the work of entries in the Registers of Public Trusts which has 23 columns. Till the end of October 1953, the Regional Dy. and Asstt. Charity Commissioners have completed 32603 inquries and 15193 inquries are still pending. The work of making entries in the Register of Public Trusts is in arrears. In addition, under Rule 5(2) of the B.P.T.Rules, 1951, a copy of the Register of Public Trusts maintained in each of the six P.T.R.Offices is required to be forwarded to and kept in C.C.'s office. Due to pressure of registration work, it has not been possible for the Regional Officers to undertake this work of making copies of entries made in the Register of Public Trusts. The latest position as it stood on 31-10-1953 of the work of registration is as indicated below:

| Name of Region | No of inquiries completed till 31-10-1953. | No of inquiries pending on 31-10-53. |
|---|---|---|
| Greater Bombay Region | 6007 | 402 |
| Ahmedabad | 6974 | 383 |
| Baroda | 6798 | 6425 |
| Poona | 3315 | 1435 |
| Kolhapur | 3608 | 1571 |
| Nellgaum | 5901 | 4977 |
| | 32,603 | 15,193 |

Although the work of registration at Ahmedabad and Bombay is practically finished, about 1800 applications from the Baroda Region and about 1100 applications from the Belgaum Region have since been transferred to the Deputy Charity Commissioner, Ahmedabad, and D.C.C., Greater Bombay Region, respectively. Both these offices, therefore, continue to be fully occupied with registration work although they have practically finished their own work. More inquiries will also be transferred to them when they finish inquiries.

It will be clear from the foregoing that the 14 temporary posts of junior clerks sanctioned for registration work have still adequate work to attend to and it is impossible to utilise their services for the work of the Directory.

3. The remaining seven temporary posts of junior clerks (3 for C.C.'s office, 2 for G.R.B., 1 for Belgaum and 1 for Kolhapur) have been sanctioned for the regular and normal work of the Organization. It may be noted here that even these temporary posts in addition to the two temporary posts of Inspectors were originally sanctioned on a permanent basis but because of the insistence of the F.D. it was subsequently decided to treat them as temporary. Moreover, the temporary posts of 3 junior clerks in C.C's office cannot evidently be treated to have been sanctioned for registration work.

4. In view of the position stated in paragraphs 2 and 3 above, it is submitted that it would not be possible to utilise 7 out of the 21 temporary posts for the work of the Directory. In his note, dated 14-10-1953, C.C. has clearly stated that the the existing staff is at present fully occupied with inquiry work and as Govt. intention is to take in hand this work immediately, the additional staff may be sanctioned. The proposal to sanction one temporary junior clerk for 3 months for each region and for C.C.'s office is a modest one.

5. As regards the recommendations of the Estimates Committee L.D.'s attention may be invited to this office letter No.5055 dated 14-10-53. In the statement accompanying this letter, it has been stated that it would not be correct to say that the

disposals at Baroda are low. The L.D. may be requested to show the copies of this office note dated 17-8-1953 and C.C.'s note dated 22-9-1953 to the F.D., if necessary.

6. In the circumstances, it will be clear that there is full and adequate justification for the creation of the seven temporary posts. The papers may be returned to the L.D. with the above remarks and with a request to sanction the seven posts at a very early date in consultation with the F.D.

Id/- 17/11

C. C.

9/8/56

S.C.

D.S.,F.D. appears to be under the impression that all clerical work would be over as soon as the inquiries are completed. It is not so. The Bombay Public Trusts Act, 1950 is essentially a registering Act and calls for considerable amount of clerical work involved in the maintenance of various Registers Indices and Rec books prescribed under it. A reference to the innumerable Schedules prescribed under the Bombay Public Trusts Rules will give some idea of the different kinds of Registers, Indices and Books to be maintained and the volume of clerical work. Schedule I will serve as an illustration on the point. After the findings are recorded by the Deputy or Asst. Charity Commissioner the information collected at the ~~xxxxx~~ inquiry has to be classified under no less than 23 items. If any par of the trusts property is situate in any other Region a copy of the entries is to be sent to that Region. If any property is immoveable property a copy of the entries is to be sent to the Sub-Registrar of the Sub-district in which the property is situate. A copy has also to be sent to the Head office for the purpose of maintaining the Central Register. Entries received from other Region have to be duly entered. Certificate in prescribed forms have to be issued to the Trustees. In case there is any change steps are to be taken in connection with the recording of the charge and for the amendment of the Register. Amount of contribution payable by each trust has to be assessed and steps taken for its collection. Further as stated by the C.C. in para 2 of this note, only 14 out of the 21 posts of the junior clerk were created specifically for expediting registration work. The other seven posts from part of the original establishment sanctioned under G.R.L.D.No. 7599 dated 14th May 1951 as modified by G.R.L.D.No.13311 dated 28th August 1951 but have been maintained

temporary basis in view of the General Policy to keep 20% of the posts temporary.

2. The disposal of inquiries has been expedited wit maximum speed in order to make the trusts liable for ment of contribution to be credited to the Public Tru Administration Fund so that the burden of expenditure maintaining the organization should not fall upon Gov With all energies of the organization directed toward the disposal of the inquiries the work of posting the several entries in innumerable Registers and sending copies to prescribed authorities is bound to take som time. It cannot therefore be said that with the disp of inquiries the temporary posts of junior clerks san tioned upto 28-2-54 have been rendered surplus. Depe ing upon the circumstances the organization may have approach Govt. for further extension of even then 14 posts.

3. The proposal of the C.C.for a Directory of Publi Trusts is laudable one. Such a Directory will provid the organization as also the members of the public tr with all information relating to Public in the State. In paragraph 47 (vii) of Part II of th report the Tendolkar Committee had recommended that t Charityf Commissioner should have the power to use go offices th bring about co-ordination between trusts f same or similar objects. It was not considered nece- ssary to include this power expressly as the power "t use good offices" is inherent. But before any co-ord tion can be brought about and the resources of the pu trusts pooled together for securing maximum public ge sufficient information about existing public trusts s be available both to the public as well as the Organi tion. From this point of view the proposed Directory the step in right direction and it should be taken i at the earliest opportunity. If the additional posts which C.C. has asked for are not sanctioned, the prep tion of the Directory may have to be deferred for a

for a year or two. The additional expenditure incurred is negligible compared to the benefit which the Directory will confer upon the public.

4. F.D. may reconsider the matter and sanction the C.C's proposal for additional staff for a short period of 3 months. It is not necessary to add that the expenditure will ultimately come out of the Bombay Public Trusts Administration Fund.

Id/- 24/11

The above note brings out all the relevant points. F.D. may please reconsider. The work of the compilation of a Directory is very useful and must be expedited.

Id/- ( P.M.L.) 24/11

F.D. may agree to one additional clerk for three months for each region.

Id/- 27/11

Id/- ( P.M.L.) 28/11
Secy. L. D.

Ad. L.D.
29086 / 1-12-53.

Submitted.

2. The Secretary, Finance Department has agreed to our proposal.

3. The accompanying Memo. put up for approval may issue.

No. 24413/C,
Legal Department,
Bombay Castle(Bombay No.1) 4th December 1953.

Subject: Establishment:
Sanction to the addition of
in the Charity Organization.

MEMORANDUM:

The undersigned presents compliments to the Accountant General, Bombay, and is directed to convey the sanction of Government to the creation of the following temporary posts in the Charity Organization for a period of three months with effect from the dates of their respective appointments:-

(1) One clerk in the Charity Commissioner's Office, Bombay, in the scale of Rs.75-5-140-E.B.-6-200, plus the usual allowances;

(2) one Junior Clerk in the Public Trusts Registration Office, Greater Bombay Region, in the scale of Rs.75-5-140-E.B.-6-200, plus the usual allowances; and

(3) one Junior Clerk in each of the Pulic Trusts Registration Offices at Ahmedabad, Baroda, Poona, Belgaum and Kolhapur, in the scale of Rs.46-3-85-E.B.-4-125-130, plus the usual allowances.

2. Sanction is also accorded to the hire of a typewriter for the Charity Commissioner's Office, the Office of the Greater Bombay Region and for each of the Offices of the five Mofussil Regions at Ahmedabad, Baroda, Poona, Belgaum and Kolhapur, for a period of three months.

3. The cost on account of the pay and allowances of the clerks for the Charity Commissioner's Office, Bombay and for the Public Trusts Registration Office, Greater Bombay Region, Bombay Bombay, and the hire charges of the typewriters for these offices should be debited to "25-General Administration-C-Secretariat and Headquarters Establishment-K-Secretariat-K-7(a) Charity Commissioner" and that for the offices of the five Mofussil Regions should be debited to "25-General Administration-E-District Administration-Q-General Establishments-Q-1(C)-Regional Staff of Charity Commissioner" and met from the

sanctioned grants.

By order and in the name of the
Governer of Bombay,

Sd/- ( E.P.BHAMGARA),
Assistant Secretary to the Government
of Bombay, Legal Department.

To

The Accountant General, Bombay (through the
Finance Department).

- - - - - -

Copy to:

The Finance Department,
The Charity Commissioner,
The Deputy Charity Commissioner, Greater Bombay Regi
Bombay,
The Deputy Charity Commissioner, Ahmedabad Region,
Ahmedabad,
The Assistant Charity Commissioner, Baroda Region,
Baroda,
The Assistant Charity Commissioner, Poona Region,
Poona,
The Assistant Charity Commissioner, Belgaum Region,
Belgaum,
The Assistant Charity Commissioner, Kolhapur Region,
Kolhapur.

R.D.P.
10/8/56

S.C.

IMMEDIATE.

No. 6381 of 1953.
Office of the Charity Commissioner,
Bank of India Building, 4th Floor,
Flora Fountain, Fort, Bombay No.1.
Dated: 17th December 1953.

From

Shri D.R.Pradhan,I.C.S.,Jr.,
Charity Commissioner, Bombay.

To

The Secretary to Government,
Legal Department, Bombay.

Sub: Appointment of staff for Directory work.

Sir,

I have the honour to state that under Government Memorandum, Legal Department, No.24413/C, dated 4th December 1953, a temporary post of a junior clerk in the scale of Rs.46-3-85 E.B.-4-126-130 has inter alia been sanctioned by Government, for a period of three months from the date of respective appointment, in the Public Trusts Registration Office, Poona. The temporary post has been created for the Directory work which is of an immediate nature. In accordance with the instructions issued in Government Circular, Political and Services Department, No.AEM.1153, dated 10th October 1953, I had instructed the Asstt. Charity Commissioner, Poona, to make the appointment to the post from among the retrenched persons from the Civil Supplies Department in consultation with the Collector of Poona. The Asstt. Charity Commissioner, Poona, has, however, reported to me that the Collector of Poona had informed him that he was unable to recommend any retrenched persons or persons likely to be retrenched from the Civil Supplies Department as the post is for a period of three months only.

2. In the circumstances, it is requested that I may be permitted either to make the appointment of a junior clerk who had previously acted in a short leave vacancy or to promote the copyist who has worked for about fourteen months in that office in consultation with Chief Secretary to Government, Political and Services Department, Bombay. I would also request that in case I receive similar replies from the

other Collectors or the Establishment Officer, Civil Supplies Department, in respect of similar temporary vacancies in the other regional offices and in ~~any~~ my office, I may be allowed to make my own arrangements.

3. Immediate orders of Government are solicited as in the absence of the additional staff the Directory work is held up.

Yours faithfully,

Sd/-
17/12

Charity Commissioner,
Bombay.

R.D.P.
10/8/66.
B.C.

LEGAL DEPARTMENT.

30891/18-12-1953.

Submitted with pp.

2. Under Government Memo, L.D.No.24413/C, dated 4-12-1953 posts of clerks xhave been created for a period of three months, with effect from the date of their appointment, for the offices of the Charity Commr.,Bombay, the Dy.Charity Commr., Greater Bombay Region and for each of the P.R.T. offices at Ahmedabad, Baroda, Poona, Belgaum and Kolhapur. These posts have been created for the preparation of Directory which is of an immediate nature.

3. The Charity Commr., Bombay, in his letter dt. 17-12-53 at pp. 35-36 ante states that in accordance with the instructions contained in G.C.,P.& G.D.No.ADM.1153,dt.10-10-53, he had instructed the Asstt. Charity Commr, Poona, to make the appointment in consultation with Collr. of Poona from among the retrenched persons from the C.S.D. The Asstt. Ch. Commr Poona, has informed that the Collr. of Poona is unable to recommend any retrenched person from the C.S.D., or likely t be retrenched from the C.S.D., as the post is for a period o three months only. In the circumstances he requests that h may be permitted either to make the appointment of a Junior clerk who had previously acted in a short vacancy or to promote the copyist who has worked for about fourteen months in that office. He further requests that if he receives similar requests from other regional offices for similar reason, he may be allowed in consultation with the Ch.& Sec; P.& G.D., to make his own arrangements.

4. In this connection it is pointed out that the P.& G.D. Circular No.ADM.1153, dt. 10-10-53 referred to by the Ch. Commr. has no application in the present case as it applies to cases where the appointing authorities reject candidates supplied by the Collr. Attention is, however, invited to G.R.,P.& G.D.No.9530/34,dt.12-3-1953, as amended from time to time, under which in the mofussil vacancies are to be filled in by calling for candidates from the Collector.

who maintains a list of retrenched persons from the C.S.D.etc
If the Collector is unable to recommend any candidate, the A
Charity Commr. can, however, make his own arrangements regard- This does not appear necessary
ing appointments. The Charity Commissioner, Bombay, may be
informed accordingly. Before informing the Ch.Commr. accord- Id/-
ingly, the P.& S.D. may see these pps. u.c.

Id/- 21/12
S. S.

Action suggested at 'A' above may be taken.

Id/- 21/12
S.A.S.

In view of the necessity of providing alternative employment to retrenched personnel and in ~~xiexmf~~ view of the fact that retrenchment is still being effected in the C.S.D. and the offices under its control, Govt. issued instructions regarding employment of discharged persons (vide G.R.,P.& S.D. No.9530/34 dt. 12-8-53). Para 3(ii) of the said G.R. provides that the recruiting authorities in the mofussil should communicate the vacancies occuring under them to the Collr. of the District concerned and the recruiting authorities should make their selection from amongst the candidates recommended by the Collr. In persuance of there orders, the Asstt. Charity Commr. Poona, moved the Collr. of Poona to recommend the names of retrenched persons for the post of a temporary clerk. As the post is only for a period of three months, the Collr. of Poona is unable to recommend any retrenched person for the post. In view of this the C.C. requests that in such cases, temporary vacancies in his office and other regions when no retrenched person is recommended by the Establishment X Officer or the Collr. of the District concerned, he may be allowed to make his own arrangement for filling the posts. The C.C. may be allowed to make his own arrangement when no retrenched person from the C.S.D. is recommended.

Id/- (P.H.L.)
21/12

R.D.P.
10/8/56

Secy.

S.C.

IMMEDIATE.

No.25876/C,
Legal Department,
Bombay Castle, 22nd December 1953

To

The Charity Commissioner,
BOMBAY.

Sir,

With reference to your letter No.6381, dated the 17th December 1953, I am directed to state that whenever the Establishment Officer or the Collector of a district is unable to recommend any retrenched person from the Civil Supplies Department for appointment as a temporary clerk, you should make your own arrangements for filling the posts.

Yours faithfully,

Sd/-
Assistant Secretary to Government,
Legal Department.

R.D.P.
10/8/56

S.C.

No. 6643 of 1953.
Office of the Charity Commissioner,
Bank of India Building, 4th Floor,
Flora Fountain, Fort, Bombay No.1.
Dated: 29th December 1953.

From

Shri D.R.Pradhan, I.C.S.,J.P.,
Charity Commissioner, Bombay.

To

The Establishment Officer,
Civil Supplies Department, Bombay.

Sub: Appointment of two junior clerks for Directory work.

Sir,

Reference this office letter No.6177,dated 7th December 1953, and your letter No.1012/Estt.,dated.23rd December 1953, in reply thereto.

2. I have the honour to observe that in my above referred to letter I had requested you to furnish a list of ten persons retrenched from the Civil Supplies Department at a very early date. However in your letter received in this office on the 24th December 1953 you have recommended to me the solitary name of one Clerk-typist Hiralo to be discharged with effect from 31st December 1953 from the Directorate of Publicity, Bombay. Thus for 18 days no steps were taken by you to recommend to me the requisite number of retrenched candidates from the Civil Supplies Department. The work of the preparation of the Directory of Public Trusts is however of an immediate nature and could not be held over. In the circumstances, it has been presumed that you are ~~xxx~~ unable to recommend any retrenched persons from the Civil Supplies Department and hence I have already made my own arrangements for filling the two posts. One Shri P.Y.Gupte who had officiated as a junior clerk in this office in leave vacancies on the previous occasions has been appointed to the temporary post in the Public Trusts Registration Office, Greater Bombay Region, Bombay, with effect from 28th December 1953 and Kumari Malati B. Manjeshwar, M.A., who knows Kannad, ~~has been appointed with effect from today to the temporary posts in my office.~~

~~Yours faithfully,~~ P.T.O

has been appointed with effect from today to the temporary post in my office.

Yours faithfully,

Sd/-

Charity Commissioner,

BOMBAY.

Copy forwarded with compliments to the Secretary to Government, Legal Department, for information with reference to Government Letter, Legal Department, No. 25876/C, dated 22nd December 1953.

R.D.P.
10/3/54.

S.C.

VERY URGENT.

No. 5433 of 1953.
Office of the Charity Commissioner,
Bank of India Building, 4th Floor,
Flora Fountain, Fort,, Bombay No.1.
Dated: 4th November 1953.

From

Shri D.R.Pradhan, I.C.S.,J.P.,
Charity Commissioner, Bombay.

To

The Secretary to Government,
Legal Department, Bombay.

Sub:- Creation of three temporary posts of travelling auditors-two at Belgaum and one at Kolhapur.

Sir,

I have the honour to state that the collection of contribution in the Belgaum and Kolhapur regions is slow. Against the estimated annual contributions of Rs.31,455/- and Rs.34,905/- the Asstt. Charity Commissioners, Belgaum and Kolhapur, have collected only Rs.14,181/- and Rs.3,777/- respectively, till 15th October 1953. The Asstt. Charity Commissioners of the two regions have reported to me that public trusts are experiencing difficulty in getting the trust accounts audited as auditors are not locally available and are required to be brought from outside at considerable expense. Out of the total number of about 10,000 public trusts in the Belgaum region, about 500 are big trusts and the rest (about 9,500) are small trusts having a gross annual income below Rs.1,000/-. In the Kolhapur Region, there are about 400 big trusts and 3500 small trusts. In accordance with the provisions of the Bombay Public Trusts Act, 1950, the trustees of big trusts have to get their accounts audited necessarily by Chartered Accountants. In the case of public trusts having a gross annual income below Rs.1,000/-, under Rule 17(2) of the Bombay Public Trusts Rules,1951, the trustees have an option to submit the accounts, without getting them audited, in the form of Sch. IX-A and IX-B to the respective regional Deputy or Asstt. Charity Commissioner. These trustees can also approach Chartered Accountants or persons authorised under Section 33(2) of the Bombay Public Trusts Act, 1950, direct and get the trust accounts audited.

13 persons in the Belgaum Region and 9 persons in the Kolhapur Region have recently been authorised by me to audit the accoun of public trusts having a gross annual income of Rs.1,000/- or less. However, it appears that these 22 authorised persons besides a few Chartered Accountants would not be in a position to meet the requirements relating to audit of about.15,000 small public trusts. It is necessary to facilitate the audit work by making appointments of three departmental auditors-two for Belgaum Region and one for the Kolhapur Region. Each of the three departmental auditors would be able to audit accounts of 2,000 small trusts in a year.

2. In this connection, it is suggested that three temporary posts of travelling auditors-two for Belgaum Region and one for Kolhapur Region, may be created for a period of one year in the first instance. The temporary posts may be in the scale of Rs. 140-10-170, i.e., the same scale as has been sanctioned for the Accountants in the mofussil regional offices of the Organization, plus the usual allowances. The qualifications attached to the posts in question may be the same as prescribed for the Accountants in the Organization. These travelling Auditors will have their headquarters at Belgaum and Kolhapur respectively and will move from ~~it~~ district to district in their respective regions. They will audit the accounts of small public trusts on behalf of the Organization and submit the accounts to the regional Asstt. Charity Commissioners who will issues Demand Notices, and assess and collect the contributions. They would be assigned a fixed minimum quota of accounts to be audited and would be asked to chalk out their tour programmes in consultation with the Asstt. Charity Commissioners and in such a way that during their visit to a particular place, they would be in a position to complete audits of quite a large number of public trusts. The pay and allowances (including the travelling allowance) will have to be initially debited to the budget head "25-General Administration-2-District Administration-2-1(c)-Regional Staff of Charity Commissioner" and ultimately reimbursed to Government from the Public Trusts Administration Fund at the end

end of the financial year. The audit fees charged and collected by the three auditors would be credited to the Public Trusts Administration Fund from which source the expenditure on account of their pay and allowances is met.

3. I would also propose that the scale of audit fees that the auditors should charge from the public trusts should be at the rate of Rs.2/8/- per hour. The basis on which the scale is proposed is explained in the succeeding paragraph.

4. It must be borne in mind that the scale of fees is required to be fixed in such a way that it does not become a source of income to the Organization nor does it become a taxation to the trustees. It would not be correct to fix the scale of audit fees on the basis of the gross annual income of the public trusts as the volume of audit work does not necessarily vary proportionately with the gross annual income. It is presumed that each auditor will have 20 working days in a month after excluding Sundays, Public holidays and half Saturdays and transit days. He would presumably be able to put in about 6 hours' work on every working day. On the basis of Rs.2/8/- per hour, he would collect an audit fee of about Rs. 300/- every month. As against these receipts or income, the following expenditure will have to be incurred by the Organization every month per auditor:-

| | Rs. | |
|---|---|---|
| Pay | 140 | |
| Dearness Allowance | 50 | |
| Travelling Allowance. | 100 | (1½ inter class railway fare plus Rs.3/10/- daily allowance) |
| | 290 | |
| | 10 | House Rent allowance in the case of the auditor at Kolhapur. |
| | 300 | |

The rate of fees of Rs.2/8/- per hour would just be sufficient to cover the expenses on account of the pay and allowances including travelling allowance of the auditor. The scale audit fees of Rs. 15/- per diem prescribed for the junior

junior auditor of the Local Audit Department also compares favourably with the scale of fees proposed for the auditors. The audit of small public trusts is not likely to cover a number of days, and hence the scale is proposed to be prescribed on an hourly basis. The scale of fees of Rs.2/8/- per hour may be prescribed subject to the provision that the total amount of audit fees chargeable to each public trust having a gross annual income below Rs.1,000/- does not exceed Rs.20/-.

5. In view of the what is stated above, sanction may be accorded to the creation of three temporary posts of Auditors-two at Belgaum and one at Kolhapur-in the scale of Rs.140-10-170 for a period of one year in the first instance. The extra cost involved in the proposal would be met from the sanctioned budget grants of the current year. It is requested that the scale of fees of Rs.2/8/- per hour may also be approved.

6. I would request that very early orders of Government may be passed so that the work of collection of contribution may be expedited and the trustees would also get some relief.

Yours faithfully,

Sd/-

Charity Commissioner,

BOMBAY.

R.D.P.
10/8/56.

S.C.

Legal Department.
F. 739/9-11-1953.

Submitted.

2. Please see letter from the Charity Commr., Bombay, at pages 1-4 ante. For the reasons stated in para 1, he requests for the creation of three temporary posts of auditors - two at Belgaum and one at Kolhapur in the scale of Rs.140-10-170 plus the usual allowances, for a period of one year in the first instance. The expenditure involved in the proposal will ultimately be reimbursed from the P.T.A.Fund. The Charity Commissioner further requests that that the audit fees of Rs.2/8/- per hour which should be charged for the auditors from the public trusts may also be approved. The extra expenditure involved in the proposal would be met from the sanctioned grants for the current year. The Charity Commr. has requested that the orders may be passed very early so that the work of collection of contribution in the two districts of Belgaum and Kolhapur which is slow can be expedited.

3. As the extra expenditure involved in the proposal would be set off against the audit fees that would be recovered from the trusts, there would be no financial burden on the P.T.A. Fund. Moreover the appointment of auditors would facilitate the collection of contribution in the two districts of Belgaum and Kolhapur as stated by the Charity Commr. In the circumstances the proposal made by the Charity Commr. may be sanctioned after u.o.r. to the Fin. Deptt.

Id/- 10/11
S. S.

Id/- 11/11
S. A. S.

Action as at 'A' may be taken.

Id/- 12/11
Secy.

u.o.r. to F.D. 22803/C, dated 13-11-1953.

Finance Deptt. VIII.

For the reasons stated at length in his letter dt.4-11-1953 the Charity Commissioner has proposed to create three posts of auditors in the scale of Rs.140-10-170-two for the Belgaum Region and one for the Kolhapur Region. In the two regions there are about 9,650 and 3,000 small public trusts which cannot afford the expenses of auditing by Chartered accountants. It is, therefore, necessary to facilitate auditing at cheaper cost. On account of the difficulties encountered by the trusts, the work of recovering contributions from them is also handicapped. The C.C's.proposal to engage departmental hands for auditing the accounts of the trusts and to recover the cost from the trusts appears, therefore, to be reasonable and as such it may not be objected to.

2. In view of the number of Trusts to be audited, the number of posts of auditors proposed is reasonable. The payscale is the same as that attached to the posts of Accountants in the same organization. As the cost will be recovered from the public Trusts, no financial burden will be thrown on the revenues of the State. The L.D.proposal may, therefore, be agreed to subject to the following remarks:

3. The fees of auditing to be recovered from the trusts are calculated on basis of the minimum of the payscales of the posts and without taking into account leave and pension charges. According to S.C.S.R. 140 and note 1 below it the average cost of the estt. is to be recovered. The average of the payscale is 164 raising it by 60% as to account for leave and pension charges, we get 107 as the cost of an auditor's post to be recovered. This will raise the hourly fee from Rs.2-C-C to 3-C-C. The L.D. may, therefore, be advised to charge a fee of Rs.3/- per hour.

4. The estimated annual cost on the creation of the 3 posts of auditors is sure to exceed Rs.5,000. It is, however, recoverable from the P.T.A.Fund and the net burden on the general revenues will be nil. Therefore, the expdre. (even though it exceeds Rs.5,000 recurrent) cannot be treated as new requiring the

specific approval of the L.A. - vide para. 74(a)(iv) of the Bombay Budget Manual. The exact source, from which the gross expenditure is to be met should, however, be made clea in the orders to be issued.

Id/- 25/11

u.o.r. to the L. D. dt. 26/11/53.

Legal Department.
29083/1-12-1953.

Please see the foregoing F.D. note. The F.D. has agree to our proposal with the modification that a fee of Rs.3/- pe hour may be charged for the auditors instead of the proposed fee of Rs.2/8/- per hour, for the reasons stated in para 3 of its note. The suggestion made by the F.D. may be agreed to The necessary orders may issue after the pps. are shown u.o. to the Ch. Commr.

Id/- 1/12

Id/- 1/12
S. S.

Id/- 1/12
S. A. S.

Perhaps it is not necessary to show F.D. remark at 'A' to the C.C. The orders may issue.

Id/- ( P.M.L.) 2/12
Secy.

R.D.P.
10/8/56

S.C.

No.25113/C,
Legal Department,
Bombay Castle(Bombay No.1) 11th
December 1953.

Subject:- Establishment.
Sanction to the addition of in the Public Trusts Registration Offices at Belgaum and Kolhapur.

MEMORANDUM.

The undersigned presents compliments to the Accountant General, Bombay, and is directed to convey the sanction of Government to the creation of the following temporary posts for a period of one year with effect from the date of their respective appointments.-

(1) Two posts of travelling auditors in the Public Trusts Registration Office at Belgaum, in the scale of Rs. 140-10-170, plus the usual allowance; and

(2) One post of travelling auditor in the Public Trusts Registration Office at Kolhapur in the scale of Rs.140-10-170, plus the usual allowances.

2. The cost on account of pay and allowances of the travelling auditors should be debited to "26-General Administration-E-District Administration-2-General Establishments-2-1(C) Regional Staff of Charity Commissioner" and met from the sanctioned grants.

By order and in the name of the
Governor of Bombay,

Sd/- ( S.P.BHANGARA),
Assistant Secretary to the Governme
of Bombay,Legal Department.

To
The Accountant General, Bombay(through the Finance Department).

Copy to :-
The Finance Department,
The Charity Commissioner,Bombay,
The Assistant Chrity Commissioner,Belgaum Region, Belgaum,
The Assistant Charity Commissioner, Kolhapur Region, Kolhapur.

R.D.P.
10/8/56.

S.C.

Audit Fees.
Recovery of -
from the public trusts register
ed in the Belgaum and Kolhapur
Regions.

GOVERNMENT OF BOMBAY.
Legal Department,
Resolution No.25120/C,
Bombay Castle, 11th December,1953.

RESOLUTION OF GOVERNMENT.

Government is pleased to directs that when the accounts of xx a public trust, having a gross annual income of Rs.1,000/- or less, situated within the limits of the Kolhapur and Belgaum Regions, are audited by the Travelling Auditors, authorised in that behalf under sub-section (2) of section 33 of the Bombay Public Trusts Act,1950, they shall charge audit fee at the rate of Rs.3/- per hour; Provided that the total amount of audit fee chargeable to any such public trust shall not exceed Rs.25/-.

2. The amount of the audit fee so recovered shall be credited to the Public Trusts Administration Fund.

By order and in the name of the
Governor of Bombay,

Sd/- ( B.P.BHAMGARA),
Assistant Secretary to the Government
of Bombay, Legal Department,

To,
The Accountant General,Bombay(through the Finance Department).
The Finance Department,
The Charity Commissioner,Bombay,
The Assistant Charity Commissioner, Belgaum Region, Belgaum,
The Assistant Charity Commissioner, Kolhapur Region, Kolhapur.

a.D.P.
10/8/56

5.C.

No. 4301 of 1953.
Office of the Charity Commissioner,
Bank of India Building, 4th Floor,
Flora Fountain, Fort, Bombay No.1.
Dated: 18th November 1953.

From

Shri D.R.Pradhan, I.C.S.
Charity Commissioner, BOMBAY.

To

The Secretary to Government,
Legal Department, BOMBAY.

Subject:- Temporary Establishment.
Continuance of -

Sir,

I have the honour to state that the gazetted and non-gazetted posts in the office of the Charity Commissioner Bombay, and the six Public Trusts Registration Offices thereunder, were sanctioned in Government Resolution, Legal Department, No.7599, dated 14th May 1951. This Government Resolution was subsequently modified by Government Resolution, Legal Department, No.13318, dated 20th August 1951, to the effect that the following 9 class III and 11 class IV posts were ordered to be treated as temporary posts sanctioned upto 28th February 1953:-

Class III posts.

| | | |
|---|---|---|
| 3 | Junior Clerks (Charity Commissioner's Office) | Rs. 75-5-140-EB-6-200. |
| 2 | Junior Clerks (Greater Bombay Region) | Rs. 75-5-140-EB-6-200. |
| 1 | Inspector ---- do ---- | Rs. 160-10-240. |
| 1 | Inspector (Poona Region) | Rs. 140-10-170. |
| 1 | Junior Clerk (Kolhapur Region) | Rs. 46-3-85-EB-4-125-5-130. |
| 1 | Junior Clerk (Belgaum Region) | Rs. 46-3-85-EB-4-125-5-130. |
| 9 | | |

Class IV posts.

| | | |
|---|---|---|
| 3 | Peons (Charity Commissioner Offices) | Rs.30-1/2-40. |
| 2 | Peons (Greater Bombay Region) | Rs.30-1/2-40. |
| 2 | Peons (Ahmedabad Region) | Rs.30-1/2-35. |
| 1 | Peon (Baroda Region) | Rs.30-1/2-35. |
| 1 | Peon (Poona Region) | Rs.30-1/2-35. |
| 1 | Peon (Kolhapur Region) | Rs.30-1/2-35. |
| 1 | Peon (Belgaum Region) | Rs.30-1/2-35. |
| 11 | | |

Out of the 11 temporary class IV posts referred to above, 8 posts were retrenched (two with effect from 1st July 1952 and six with effect from 1st August 1952) in Government Memorandum, Legal Department, No.13440, dated 16th August 1952, in accordance with the general orders as issued in Government Resolution Finance Department, No.7933/33, dated the 20th May 1952, as indicated below:-

| Name of Office. | No. of class IV posts retrenched. |
|---|---|
| Charity Commissioner's Office, | 1 |
| Public Trusts Registration Office, Greater Bombay Region, Bombay. | 1 |
| Public Trusts Registration Office, Ahmedabad. | 2 |
| " " Baroda. | 1 |
| " " Poona. | 1 |
| " " Kolhapur. | 1 |
| " " Belgaum. | 1 |
| | 8 |

Thus at present there are only 9 class III and 3 class IV posts treated as temporarily sanctioned upto 28th February 1953. It is necessary to continue all these posts for a period of one year more, i.e., upto 28th February 1954 in view of the detailed justification given in the succeeding paragraphs:-

2. Charity Commissioner's Office :- The number of temporary class III and class IV posts is 3 and 2 respectively. There are only 5 junior clerks (3 permanent and 2 temporary) in the office who have been allotted to the three branches as indicated below:-

| | | |
|---|---|---|
| Judicial Branch | - | 2 junior clerks. |
| Accounts Branch | | 3 " |
| Administrative or Establishment Branch | - | 3 |

The work allotted to the junior clerks in each of the above three branches is as stated below :-

Judicial Branch :

Junior clerk (1) - (i) All preliminary correspondence relating to applications under sec. 35, 36 & 51 & 55 of the Act.

(ii) Maintenance of files.

(iii) Matters relating to exemptions.

(iv) Maintenance of Court Fee Registers.

Junior Clerk (2) - (i) Maintenance of Register (Schedule I).

(ii) Maintenance of the Register of ~~Appeals/Schedules~~ decisions of Courts (Schedule XI)

(iii) Maintenance of the Register of Appeals (Schedule XVII)

(iv) Maintenance of Registers for Applications under Secs. 35, 36, 51 & 55 of the Act.

(v) Maintenance of Record.

(vi) Disposal of Applications under Sec.33(1).

Accounts Branch :

Junior Clerk (1) - (i) Accounting work relating to Charitable Endowments.

(ii) Remittance of interest collections by cheques, money order and drafts to administrators.

(iii) Correspondence pertaining to Charitable Endowments.

Junior Clerk (2) - (i) Assistance to junior clerk (1) for calculation of interest, preparing forwarding letters for interest payments, preparing statements shewing a list of administrators with the amounts to be remitted to them, and posting of entries into books of accounts.

(ii) Routine Correspondence such as putting up reminders and preparing certificates of correctness of balance of holdings in the safe custody of Treasurer, Charitable Endowments, Bombay.

(iii) Mxx Maintenance of Registers.

(iv) Filing work and custody of pending and awaiting papers.

Junior Clerk (3) - (i) Prepare pay, travelling allowance and contingent bills.

(ii) Reconciliation of expenditure.

(iii) Checking and verification of monthly statements regarding Public Trusts Administration Fund

balance in the six Public Trusts Registration offices.

Establishment Branch :

Junior Clerk (1) - (i) Preparation indents for forms, stationery, uniforms, umbrellas, etc.

(ii) Routine establishment matters.

(iii) Compilation of gazettes & B.L.Rs.

(iv) Filing and custody of awaiting papers.

(v) Routine correspondence.

Junior Clerk (2) - (i) Supply of books, Government Resolutions and stationery to Regional Officers.

(ii) Maintenance of casual leave register.

(iii) Finding out or tracing previous papers.

(iv) All other miscellaneous work.

Junior Clerk (3) - ~~XXX~~ Inward & Out ward Register, despatch work and maintenance of stamp account.

It will be clear from the above details that all the eight junior clerks have got more than adequate work to keep them busy throughout.

The Charitable Endowments work is especially very heavy in as much as the work of collection and disbursement of the interest in respect of 419 endowments is involved. The ministerial work relating to charitable endowments at present attended to by the office of the Deputy Accountant, General, Baroda, and the Treasury Officer, Sangli, is yet to be taken over. After this is done, it will perhaps be necessary to strengthen the Accounts branch.

I am to add that the six Public Trusts Registration Offices have so far received 44,000 applications for registration., When the proposals for the creation of this Organization were originally made, it was not visualised that so many applications would be received. The estimate of applications for registration then was about 20,000. I may point out that the increase in the number of application for registration in the regional offices does result in the increase in work in my office in that more appeals are

are received, more applications under section 33, 35, 36, 51 and 55 have to be entertained, more copies of Schedule I are received.

It is proposed to undertake a percentage check of the accounting returns received by and submitted in the regional offices and when more trusts are registered there is bound to be an increase in the above scrutiny work.

In these circumstances, I feel that not only is there a need to continue the three temporary posts but there is a good case for making them permanenet. However, I do not propose to recommend that these posts may be made permanent as I intend to satisfy myself that the volume of work is steady and of a permanent nature after the registration work is completed.

As regards the two temporary class IV posts, I have to state that these posts are admissible according to the revised orders of Government.

3. Public Trusts Registration Office, Greater Bombay Region, Bombay :- The temporary establishment consists of one Inspector two junior clerks and one class IV servant. As regards the continuance of the two posts of junior clerks, I may add that Government has separately been moved to sanction four additional posts of junior clerks for a period of 9 months so as to temporarily strengthen the existing clerical establishment. The Bombay Public Trust Act,1950, is mainly a registering Act, and as the Act has been applied with effect from 21st January 1952, the registration work is very heavy. 5692 applications for registration have been received and inquiry under section 19 or 28 in respect of each application has to be held. The majority of the trusts that will be registered are big trusts. So far as the post of Inspector is concerned, I have to point out that there are 3 Inspectors for this region comprising the areas specified in Schedule A to the Greater Bombay Laws and the Bombay High Court (Declaration of Limits) Act,1945, and the districts of Thana and Kolaba. The Inspectors have to make inquiries and report cases of .....

failure to register trusts or submit dharmada accounts. They have also to report breaches of trusts, misconduct or neglect on the part of the trustees. They are expected to frame cases for prosecution and to conduct inquiries on the spot and also to assist in the preparation of assessors' lists. Two Inspectors are meant for Greater Bombay and one is for the two districts of Thana and Kolaba.

The temporary class IV servant is admissible under the revised orders of Government.

4. Public Trusts Registration Office, Poona :- The temporary post is that of an Inspector. This region has been given 3 Inspectors in all as it consists of 6 scattered districts. Each Inspector is assigned two districts and has to attend to all the work referred to in para 3 above. The special feature of the Region is that there are many dharmadas in three districts viz., East Khandesh, West Khandesh and Sholapur. The Inspectors will have to tour extensively in order to bring the defaulters to books.

5. Public Trusts Registration Offices, Kolhapur and Belgaum:- For each of these two offices, there is one temporary post of a junior clerk. I have separately moved Government to sanction two temporary posts of junior clerks for each region. The Kolhapur Regional Office has so far received 4783 applications for registration and the Belgaum Office 10,447 applications. So far as the former region is concerned, the Asstt. Charity Commissioner anticipates that there will be in all 10,000 applications for registration because of the fact that the Deesthan Mandal, Kolhapur, has sought for time for registration of about 5,000 trusts.

6. In view of what is stated in paras 2 to 5 above, it will be clear that there is a strong justification for making all the 9 class III and 3 class IV posts permanent. However, in order to watch the position after the completion of the registration work, I would recommend the further continuance of these posts upto 28th February 1954 only. It will not be out of place to state here that all these posts even were

originally sanctioned on a permanent basis but because of the insistence of the Finance Department, it was subsequently agreed by my predecessor to treat them as temporary. The temporary posts have been filled from among persons belonging to the Judicial Department and the Fund employees.

7. I have to add that necessary budget provision for pay and allowances in repsect of all the posts has already been proposed in Part II-A Estimates for the year 1953-54. It is, therefore, requested that early orders of Government may be passed in the matter.

Yours faithfully,

Sd/-
Charity Commissioner,
Bombay.

R.D.P.
11/8/56

L.C.

Legal Department.

R.I.No.28144/20/11/52.

Submitted with pp.

2. This is a proposal from the Charity Commissioner, Bombay, to extend the period of the following temporary posts in the Charity Organization, upto 28th February 1954 :-

Class III posts.

3 Junior Clerks (Chrity Commissioner's Office).
1 Inspector (Greater Bombay Region).
2 Junior Clerks (Greater Bombay Region).
1 Inspector (Poona Region).
1 Junior Clerk (Kolhapur Region).
1 Junior Clerk (Belgaum Region).

9

IV
Class ~~XXX~~ posts.

2 Peons (Chrity Commissioner's Office).
1 Peon (Greater Bombay Region).

3

3. By G.R.L.D.No.7599,dt. 14-5-51 all the posts under the Charity Organization were sanctioned on the permanent basis, but on the suggestion of the Secretary, F.D. 9 class III and 11 class IV posts were treated as temporary and sanctioned upto 28th February 1953 by G.R.L.D.No13318 dt. 20-8-51. Out of 11 class IV posts 8 posts were ~~retrenched~~ retrenched by G.M.L.D. No.13340,dt.18-8-52 in accordance with the general orders issued in G.R.F.D.No.7983/33 dt.20-8-52. The net result is that now there are 9 class III and 3 class IV posts sanctioned temporarily upto 28-2-53 in the Charity Organization.

4. In view of the detailed justification given in paras 2 to 5 of the Charity Commissioner's letter the following posts may be continued temporarily upto 28th February 1954 after u.r. to the F.D.:-

**Class III posts.**

3 Junior Clerks (Charity Commissioner's Office)
Rs.75-5-140-E-B-6-200.

1 Inspector (Greater Bombay Region)
Rs.160-10-240.

2 Junior Clerks (Greater Bombay Region)
Rs.75-5-140-E.B.-6-200.

1 Inspector (Poona Region) Rs. 140-10-170.

1 Junior Clerk (Kolhapur Region)
Rs.46-3-85-E.B.-4-125-5-130.

1 Junior Clerk (Belgaum Region)
Rs.46-3-85-E.B.-4-125-5-130.

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9
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**Class IV posts.**

2 Peons (Charity Commissioner's Office)
Rs.35-1/2-40.

1 Peon (Greater Bombay Region)
Rs.35-1/2-40.

---
3
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5. Necessary provision for the posts has been made in the next year's budget.

Id/- 29/12

Supdt.

Id/- 21/12

S. A. S.

In view of the reasons stated in paras 2 to 5 of the Charity Commirrioner's letter, his request to continued the temporary posts of 9 clerks and 3 peons upto 28-2-54 may be sanctioned after u.e. reference to the F.D.

Id/- 30/12

Secretary.

U.R. to the F.D. No. 22134/C, dated the 31-12-52.

R.D.P.
11/8/56.

S.C.

The proposal is to continue upto 28-2-54 seven posts of clerks, two of Inspectors and 3 nos peons und the Charity Commissioner. He has argued at length ho essential it is to continue them. The justification put forth is mostly a recitation of clerical jobs assigned to each person. Evidence of material value to F.D. consists of actual no of references handled by each clerk in a day and the outward references drafted by him. So far as the Charity Commissioner's own offic is concerned the case made out by him is not convincing as statistical information is not furnished at all e.g. it is not enough to say that a clerk has to maintain three registers vide on p.61 ante. It should be possible to state how many interest remittances are received per day and how many references are received and made per day. Obviously it should be possible to entrust th duties of the despatch clerk to the second Junior clerk in the estabt. branch of his office in Bombay. Such economies can be suggested only after the statistical information re: actual work done by each person is made available to the F.D. These remarks held good in the case of Public Trusts Registration Offices at Bombay and Poona.

As regards a clerk each for the offices at Kolhapu and Belgaum, F.D. may agree that there is sufficient work for one clerk at Belgaum. F.D. may not agree to the continuance of one post of clerk at Kolhapur until the promised 5000 trust are actually registered.

As regards peons it is certified that they are admissible according to the revised orders of Governme Ex If so, F.D. may not object to their further continu ance for a year upto 28-2-54.

The Legal Department may be requested to see that early steps are taken to obtain proper sanction for

every post mentioned in this proposal and they are not continued beyond their sanctioned period unnecessarily

ld/-

13/1

U.O.R. to Legal Department., dated the 14-1-53.

R.D.P.
11/8/46.

S.C.

Creation of the office of the Charity Commissioner and other offices subordinate to him.

GOVERNMENT OF BOMBAY,
Legal Department.
Resolution No.1174/C.
Bombay Castle, 19th January 1953.

Read Government Resolution, Legal Department, Nos. 7809, dated the 14th May 1951. and 13318. dated the 20th August 1951.

Resolution: Government is pleased to sanction that from amongst the posts sanctioned in Government Resolution Legal Department No.13318 dated 20th August 1951. the following posts shall be continued for a further period upto and inclusive 30thx June 1953:-

Class III posts.

3 Junior Clerks (Charity Commissioner's Office)
Rs. 75-5-140-E.B.-6-200.

1 Inspector (Greater Bombay Region)
Rs. 160-10-240.

2 Junior clerks (Greater Bombay Region)
Rs. 75-5-140-E.B.-6-200

1 Inspector (Poona Region)
Rs. 140-10-170

1 Junior clerk (Kolhapur Region)
Rs. 46-3-85-E.B.-4-125-5-130.

1 Junior Clerk (Belgaum Region)
Rs. 46-3-85-E.B.-4-125-5-130.

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9
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Class IV posts.

2 Peons (office of the Charity Commissioner)
Rs. 35-½-40.

1 Peon (Greater Bombay Region Rs. 35-½-40.

---
3
---

2. Necessary provision to meet the charge has been made in the next year's Budget under "25-General Administration -C-Secretariat and Head quarters Establishment-K-Civil Secretariat-K-7(a)-Charity Commissioner-K.7(a)(2)-Pay of Establishment" for the staff in the Charity Commissioner' office and the Greater Bombay Region and under "25-General Administration-K-District Administration-Q-General Establi shment-Q-1(c)-Regional staff of Charity

Charity Commissioner-Q-1(c)(2)-Pay of Establishment", for the staff in offices of Poona, Kolhapur and Belgaum Regions.

By order and in the name of the
Governor of Bombay,

Sd/-
(E.P.BHAMGARA).
Assistant Secretary to Government.

All Departments of Secretariat(except the Separate Department).

The Accountant General,Bombay(through the Finance Department).

The Principal Judge, City Civil Court, Bombay.

The Chief Judge, Small Causes Court, Bombay.

All Collectors.

All District Judges.

All Civil Judges (Senior Division).

The Registrar, High Court, Appellate Side, Bombay (by)

The Charity Commissioner, Bombay.

H.D.P.
II/3/56.

S.C.

No. 2004/C
Legal Department,
Bombay Castle (BombayN$_{o}$.1) 31st
January 1953.

To

The Charity Commissioner,
Bombay.

Subject:- Temporary Establishment.
continuance of ----

Sir,

With reference to your letter No. 4301, dated the 19th November 1952, on the above subject, I am directed to state that the temporary staff has been continued by Government Resolution, Legal Department No. 1174/C, dated the 19th January 1953, upto and inclusive 30th June 1953 and to request you to be so good as to give the necessary qunatitative data (such as actual number of reference handled by each clerk in a day and the outward referecés dawfted by him) of the volume of work done in justification of the staff in good ~~thi~~ time befre that date so as to enable this Department to obtain proper sanction for further continuance of every post mentioned in the said Government Resolution.

Yours faithfully,

o/c Sd/-

Assistant Secretary to Government.

C.G.R./9-8

No. 2606 of 1953 229
Office of Charity Commissioner,
Bank of India Building, 4th Floor,
Flora Fountain, Fort, Bombay No.1.

Dated: 3rd June 1953.

From

Shri D.R. Pradhan, I.C.S.,J.P.
Charity Commissioner, Bombay.

To

The Secretary to Government,
Legal Department, Bombay.

Sub.: Continuance of temporary posts in Charity Commissioner's Office and in the Public Trusts Registration Offices.

Sir,

Reference Government Resolution, Legal Department, No.1174/C, dated 19th January 1953, and Government Letter, Legal Department, No. 2004/C, dated 31st January 1953.

2. I have the honour to state that in the Government Resolution referred to above, the following posts have been continued for a further period upto and inclusive 30 June 1953 :-

Class III posts.

| | |
|---|---|
| 3. Junior Clerks (Chairty Commissioner's office) | Rs.75-5-140E.B.-6-200. |
| 1 Inspector (Greater Bombay Region) | Rs.160-10-240. |
| 2.Junior Clerks (Greater Bombay Region) | Rs. 75-5-140-E.B.-6-200. |
| 1 Inspector (Poona Region) | Rs. 140-10-170. |
| 1 Junior Clerk (Kolhapur Region) | Rs. 46-3-85.EB.4-125-5-130. |
| 1 Junior Clerk (Belgaum Region) | Rs. ~~xx~~ —do— |

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9
---

Class IV posts.

| | |
|---|---|
| 2 Peons (Office of the Charity Commissioner) | Rs. Rs.35-1-2-40 |
| 1 Peon (Greater Bombay Region) | Rs.35-1-2-40. |

3. As directed by Government in the Government Letter referred to above, statistical date relating to the number of cases received and disposed of by every member of the subordinate staff in my office and the six Public Trusts Registration Offices in this Organization has been collected. on the basis of the actual turnover of work, I am convinced that there is adequate justification for the further continuance of all the temporary posts upto 28th February 1954. The detailed justitification for the continuance is given in the succeeding paragraphs :-

4. Charity Commissioner's Office:- There is 8 posts of jurnir clerks ( 5 permanent and 3 temporary) in this office and these clerks have been allotted to the three branche as as indicated below:-

| | |
|---|---|
| Judicial brance | - 2 junior clerks. |
| Accounts brance | - 3 |
| Administrative & Establishment brance | -3 |

Judicial brance :-

Junior Clerk(1) In the two months of March and Rr April 1953, he has dis osed of ~~194~~ 105 and 107 cases respectively. He deals with applications under sections 51 and 55 of the Bombay Public Trusts Act, 1950, and attends to miscellaneous correspondence.

Junior clerk(2) - During the two months of March and April 1953, he has disposed of 105 cases in respect of applications under sections 35 and 36 of the Act. In addit on, he has to maintain the Register of Applications under sections 35,36,51 and 55. The Court Fee Stamp Register to watch the recovery of court fees collected in accordance with Sechedule B

to the Act is also maintained by him.

Accounts branch:-

Junior clerk (1) - He has to prepare pay, travelling allowance and contingent bills and has to attend to the work of reconciliation of expenditure. During the two months of March and April 1953, he had disposed of 31 and 54 cases respectively. These cases represent applications under section 33(1) of the Bombay Public Trusts Act, 1950. In addition, he has to check and verify the monthly statement regaring Public Trusts Administration Fund balances in the six Public Trusts Registration. Offices.

Junior clerks (2) & (3) - During the months of February and March 1953 the two junior clerks attended to the following work relating to charitable endowments:-

(i) 507 Interest payments to administrators.

(ii) Preparation of equal number of forwarding letters for the above payments with equal number of office copies.

(iii) 166 Cheques were written hand and issued to the administrators.

(iv) Inwarded 579 letters and despatched 992 letters (A separate inward and outward register has been maintained for the work relating to the Treasurer of Charitable Endowments).

(v) Statements numbering 426 regarding correctness of balances for the year ending 31-3-1953 were issued.

(vi) The total number of cases received and disposed by the two clerks is 250 and 280, respectively.

Establishment branch:-

Junior clerk (1) - He attends to the work of preparation of indents of forms, stationery, uniforms, etc., and of routine establishment matters. He looks after the filing work in addition. During the two months he disposed of 289 cases.

Junior clerk (2) - He attends to the routine correspondence and is in charge of gazettes, law reports, books and publications and maintains casual leave register. During the two months of February and April 1953 , he has disposed of ~~195~~ 65 cases.

Junior clerk (3) - He does inward and ~~xxx~~ outward work and maintains stamp account. During the three months of February, March and April 1953, 1629 references were inwarded and 1469 letters were despatched. He has to write the addresses inhand on all the envelopes.

5. Public Trust's Registration Office, Greater Bombay Region, Bombay. :- The temporary establishment consists of one Inspector and two junior clerks. The quantum of work done by the three Inspectrs (including one temporary Inspector) in the months of February and March 1953 is indicated below:-

Inspector (1) - Working days 45 - On tour for 19 days; applications scrutinized 256, office copies of notices prepared 256, parties attended 86 and cases disposed of 9.

Inspector (2) - Working days 43 - Made entries in the Register of Public Trusts in respect of 29 trusts; applications scrutinised 134; office copies of notices prepared 134; parties attended 30, cases

disposed 24, inquiries and investigations made for 9 ~~xxdx~~ days.

Inspector (3) - Working days 44 . On tour for 3 days. He had to arrange proceedings in inquiry cases.

The Greater Bombay Region is the most important regio region from the point of contribution. It is the heaviest region and the properties belonging to the public trusts are of the value running into lakhs of rupees. It is essential that the temporary post of Inspector should be continued on a permanent basis but for the present I would recommend its continuance upto 28th February 1954 only.

As regards the two temporary ~~xxxx~~ junior clerks, I have to state that they have to scrutinise applicatio for registration, prepare office copies of notices, to maintain court fee register, and to prepare initial roznamas. Incidentally, in Government Memorandum, Legal Department, No. 19372/C, dated 25th November 1952, Government has inter alia sanctioned ~~xxxx~~ four temporary ~~xx~~ nine-monthly posts of junior clerks for the public Trusts Registration Office, Greater Bombay Region, Bombay. The quantum of work done by the two clerks during the two months of March and April 1953 is indicated below :-

Junior clerk 1) - Working days 45 - Applications scrutinised 162; office copies of notices 162; parties attended 30; kept stamps account;. He was also busy with the work of roznama and boards. He also assisted the judicial clerk in the work relating to the mofussil board.

Junior clerk (2) - Working days 45 - Applications scrutinised 220; office copies of notices prepared 220; parties attended 83. Arranged applications for Deputy Charity Commissioner's orders. Responsible for putting the papers and arranging them.

6. Charity Commissioner's Office :- There are two temporary posts of class iv servants. According to the revised orders of Government issued in Government Resloution, Finance Department, No.7983/33, dated 20th May 1952, these temporary posts are admissible.

The gazetted post of Establishment Office has since been abolished and a temporary post of Superintendent (Accounts & Establishemtn) in lieu there of has been created with effect from 5th April 1953. The permanent post of class IV servant attached to the gazetteed post of Establishment Officer would not strictly be admissible under the Finance Department Government Resolution referred to above. The number of existing non-gazetted class III servants is 17 and the number of class IV servants admissible to non-gazetted establishment is two under the above referred to Government Resolution. However, for the ministerial work relating to charitable endowments, which has been taken over from the Accountant General, Bombay, the services of the one class IV servant are exclusively necessary. This class IV servant has 'i) to effect local delivery of cheques representing payment of interest to the administrators, (ii) to bring bank drafts from the Reserve Bank of India, (iii) to take money orders to the

to the Post Office, (iv) to receive cheques from Bombay Port Trust in respect of Port Trust Bonds and (V) to go to the bank frequently to credit the amont of interest into Government accounts. The number of local payments is abut 374 by cheques, 35 by money orders and 440 by drafts. In the Accountan General's office alsow this work was attended to by an independent class IV servant. The other two class IV servants are required for delivery work, f for going to the Accountant General's office in co nection with bills, for encashment of cheques in the Reserve Bank of India and for all other sundry duties. In the circumstances, it is request that one ost of class IV servant attached to the ex-post of Establishment Officer since abolished may be allowed to be retained till 28th February 1954. I may further add that the that the permanent post of Chowkidar sachtioned for may office has also not been filled in.

7. Public Trusts Registation Office, Greater Bombay Region, Bombay :- The temporary post of a IV servant is admissible under the Finance Department orders referred to above.

8. Public Trusts Registration Office, Poona :- The Poona Region consists of the six scattered districts of Poona, Sholapur, Ahmednagar, Nasik, East Khandesh and West Khandesh. 950 applications for registration have been submitted under protest by the trustees as indicated below:-

| Name | No. of contested applications. |
|---|---|
| Poona | 425 |
| Nasik | 150 |
| Sholapur | 200 |
| Ahmednagar | 175 |
| | 950 |

At present, the Asst. Charity Commissioner is concerntrating on uncontested applications. After the inquiries inrespect of uncontested applications are finished, the three Inspectors (including one temporary Inspector) will be allotted the two districts each, and the Inspectors will have to make a local inquiry and submit report in respect of each and every contested application. The Inspectors will also have to tour extensively in order to find out whether all persons collecting dharmadas have submitted their accounts. The quantum of work done by the incumbent of the temporary post of Inspector in the two months of February and March 1953 is indicated below:-

Working days 44 -

Written memorandum in 787 cases fixed and entered them in the memorandum book.

80 summonses to assessors were prepared.

Letters informing next dates fixed were issued in in 100 cases.

Assisted Bench or Senior Clerk in giving dates and writing memo books.

Did inquiry in one case.

9. Public Trusts Registration Office, Kolhapur & Belgaum: for each of these two offices, there is one temporary post of a junior clerk. In Government Memorandum, Legal Department, No.19372/C

dated 25th November 1952, Government has inter alia sanctioned two temporary posts of i nine monthly clerks for each of these two offices:-

Public Trusts Registration Office, Kolhapur: -

The temporary junior clerk has to (i) issue notices of inquiry to the parties whose applications are fixed for hearing , (ii) issue summonses to the assessors, (iii) make entries of the decided cases in the registers of applications and (iv) to maintain the monthly account of a plications During the two months of February and March 1953 he did the following work :-

| | |
|---|---|
| 1. preparing Notices | 1252 |
| 2. Summonses | 218 |
| 3. Writing preliminary roznamas | 182 |
| 4. Entering applications in registers | 742 |
| 5. Taking decided cases on the balance sheet | 742 |

In addition, he attended to other miscellaneous duties such as receivng and checking applications fixed for hearing , keeping office copies of notices etc.

Public Trusts Registration Office,Belgaum:-

The temporary junior clerk did the following work during the two months of February and March 1953 : -

| | Applns. in which notices were prepared. 1 | Applns. in which first Roznama prepared. 2 |
|---|---|---|
| February Average per day | 19 | 19 |
| March Average per day | 18 | 18 |

| | Applns. in which wrappers for the cases written. 3 | Summonses to Assessors prepared. 4 | Typing communications. 5 |
|---|---|---|---|
| February Avegare per day | 19 | 13 6 | 3 |
| March Avegare per day | 18 | 3 | 3 |

In the month of February 1953, for about 20 days, he was entrusted with the work of collecting information about court fees paid on 10, 568 application for registration with the aid of Inspectors.

10. I have further to add that with a view to effecting maximum reduction in expenditure without detriment to efficiency, steps have already been taken by me to carry out retrenchment in the Organisation. I am enclosing herewith a statement showing the annual agerage recurrent savings effected as a result of retrenchment upto the end of April 1953 where from it will be seen that there will be annual average saving of Rs. 26,568/-.

11. In view of what is stated above and especially in view of the fact that all possible attempts have been made to purne down the expenditure, it will be clear that there is a strong and adequate justification for the continuance of 9 class III and 3 class IV temporary posts. In fact, it might be necessary to continue some of these posts on a permanent basis. However, inorder to watch the position after the completion of the registration work, I would recommend the further continuance of these posts upto 28th February 1954 only. I have further to add that necessary provision for the current year for the pay and

for the pay and allowances xxxxxxxxxxxxxxxxxxxx in respect of all these temporary posts has already been made in the current year's Budget Estimates. It is requested that early orders of Government may be passed in the matter as the present sanction expires on 30th June 1953.

Yours faithfully,

Sd/- D.R. Pradhan.
Charity Commissioner,
Bombay.

C.C.R./8-8

R.I.No. 13157 dt. 4-6-53.

Submitted with papers.

2. This is a proposal from the Charity Commr. Bombay, to extend the period of the following temporary posts in the Charity Orginisation, ~~upto~~ upto 28th February 1954.-

Class III posts.

3. Junior clerks (Charity Commr.'s office)-.

1 Inspector (Greater Bombay Region )

2 Junior clerks( -do-)

1 Inspector ( Poona Region).

1 Jr. Clerk (Kolhapur Region.)

1 Jr. Clerk (Belgaum Region).

9

Class IV posts.

2 Peons (Charity Commissionerb office).

1 Peon (Greater Bombay Region).

3. By G.R.,L.D.No. 1174/C dt. the 19th February 1953, all the above temporary posts have been sanctioned upto 30-6-53.

4. In view of the detailed justification given in paragraphs 2 xf to ~~xixxfxiii~~ 10 of the Charity Commr's letter, all the Class III & 9 temporary posts and class iv 2 (instead of 3 temporary) posts may be continued upto 28th February 1954 after U.R. to F.D. One post of Class IV servant cannnot any longer be continued as the post of Establishemnt Officer has been abolished with effect from 5.4.53.

5.The necessary provision for the above temporary staff has been made in the current year's budget.

Sd/-

U.R. to F.D.No.12569/dt.8-6-53.

R./8-8

F. D. VIII

The Statistical data of volume of work done in the Charity Commissioner's Office and the ~~xxx~~ offices under him will have to be compared with the statistical data of work when the posts were initially created. The L.D. may be requested to kindly collect similar information ~~xxxxxx~~ regarding work load for two months when the posts in question were initially sanctioned.

As the present sanctioned period is due to expire on 30-6-53, the L.D. may be requested to treat this case as very urgent.

As regards the peon, the post should be retrenched immediately if it has not been ~~x~~ retrenched so far. The L.D. may kindly ensure this and state the date on which the post is retrenched.

Sd/-

U.R. to L.D. dt. 16-6-1953.

L. D.
14916 / 19-6-53

Submitted

Please see above F.D. note the accompanying letter put up for approval and signature may issue to the C.C

No.13276/C

IMMEDIATE.

Legal Department,
Bombay Castle, 19th June 1953

To
The Charity Commissioner,
Bombay.

Subject:- Continuance of temporary posts in Charity Commissioner's Office and in the Public Trusts Registration Offices.

Sir,

With reference to your letter No.2606, dated the 3rd June 1953, on the above subject, I am directed to state that Government has called for the statistical data of volume of work done in the Charity Commissioner's Office and the Offices under him for two months when the posts in question were initially sanctioned for comparing it with the data furnished by you. I am accordingly to request you to furnish the necessary information immediately.

2. I am to add that Government is not agreeable to the continuance of the post of the peon attached to the Establishment Officer and has advised that it should be retrenched immediately. The date from which the post has been retrenched may please to communicated to this Department.

3. As the period of the temporary posts is due to expire on the 30th June 1953, I am to request you to be so good as to send your reply immediately.

Yours faithfully,

o/c Sd/-
Assistant Secretary to Government,
Legal Department.

C.G.R./8-8

IMMEDIATE. No. 2831 of 1953.
Office of the Charity Commissioner,
Bank of India Building; 4th Floor,
Flora Fountain, Fort, Bombay No.1.

dt. 20-6-1953.

From

Shri D.R.Pradhan, I.C.S. J.P.
Charity Commissioner, Bombay.

To

The Secretary to Government,
Legal Department, Bombay.

Subject: Continuance of temporary Posts in the Charity Commissioner's Office and in the Public Trusts Registeration Offices.

Sir,

Reference Government Letter , Legal Department, No. 13276/C, dated 19-6-53.

2. I have the honour to state that the estimated statistical data of the volume of work done in the P.R.T.R. Offices for the two months when the temporary posts were initially sanctioned is being collected from the respective Deputy and Assistant Charity Commissioners. These are touring Officers and most of them are at present holding inquiries under Sections 19 and 28 of the Bombay Public Trusts Act, 1950, in the districts and it will take some time before the information is collected in this office and furnished to Government. Moreover, the system of maintaining work-sheets was introduced in the Public Trusts Registration Offices in June 1952. In the circumstances, it is requested that the temporary posts may be continued further tull 31-7-1953, pending submission of the full statistical data required by Government, as the present sanction expires on the 30th June 1953.

3. As regards the post of a peon attached to the Establishment Officer, I have to add that the same is being retrenched from 1st August 1953.

Yours faithfully,
Sd/-
Charity Commissioner.

Legal Department.

15073/22-6-53.

In the circumstances explained by the Charity Commr., Bombay, in his letter overleaf, the period of the temporary posts, including the post of the peon, who was attached to the Establishment Officer, may be extended till 31-9-1953.

2. The F.D. may please be requested to treat the case as "Immediate".

Attention is invited to F.D. office note dt. 16-6-53 and the letter from the Charity Commr. dt. 20-6-53. As stated by the C.J. it will take some time to collect from the respective Dy. uty and Asst. Charity Commrs. the statical data of the of the volume of work done in the P.T.R. Offices. and to furnish the same to Govt. In the meanwhile, the F.D. may be requested to continue the present temporary posts upto 31-7-53, including the post of the Peon attached to the E.O.

Sd/-
22/6

U.O.F. to F.D.No. 13390/C of dt. 22-6-1953.

C.C.R./8-8

Finance Deptt. VIII.

Submitted with refe once to office note dt. 16-6-1953.

In the circumstances explained by the Legal Deptt. their proposal to continue the existing staff upto 31-7-1953 may be agreed to except the post of peon. The L.D. may be requested to explain whether the Peon was entitled to one month's notice of discharge as per G.C.P/SD No. 1581/34 dt. 9-8-1947. If he is not entitled to such notice he should be discharged immediately. If he is entitled to notice notice F.D. may agree to continue the post held by him upto 31-7-1953.

Sd/-

30/6/53.

U.O. to L.D. dt. 1-7-1953.

16042/3-7-53.

C.G.R./ 6-8

**Temporary Posts,**
Continuance of - in the Office of the Charity Commissioner, Bombay and the offices subordinate to him.

GOVERNMENT OF BOMBAY,
Legal Department,
Resolution No.14408/C
Bombay Castle, 6th July 1953.

Read Government Resolution, Legal Department Nos. 7599, dated the 14th May 1951, 13318, dated the 20th August 1951 and 1174/C, dated the 19th January 1953.

RESOLUTION: Government is pleased to direct that the temporary posts referred to in Government Resolution, Legal Department No.1174/C, dated the 19th January 1953 should be continued for a further period upto 31st July 1953.

2. Necessary provision to meet the charge has been made in the current year's budget under "25 General Administration -C - Secretariat and Head Quarters Establishment -K - Civil Secretariat - K -7 (a). Charity Commissioner -K--7(a)(2) -Pay of Establishment" for the staff inthe Charity Commissioner's Office and the Greater Bombay Region and under "25 General Administration-K -District Administration - Q - General Establishment -C - 1 (C) -Regional staff of Charity Commissioner -Q -1 (C)(2) -Pay of Establishment" for the staff in offices at Poona, Kolhapur and Belgaum Regions.

By order and in the name of the Governor of Bombay,
Original .Sd/ - E.P.Bhangara,
Assistant Secretary to Government.

To
The Accountant General, Bombay (through the Finance Department),
The Finance Department,
The Charity Commissioner, Bombay,
The Assistant Charity Commissioner, Poona,
The Assistant Commissioner, Kolhapur Region, Kolhapur,
The Assistant Charity Commissioner, Belgaum Region, Belgaum.

Very Urgent. No. 14439/3

Legal Department,
Bombay Castle,(Bombay No.1). 6th July 1953.

To

The Charity Commissioner,
Bombay.

Sir,

With reference to your letter No.2606,dated the 3rd June 1953, I am directed to enquire whether the peon who was due to be discharged on the abolition of the post of the Establishment Officer is entitled to one month's notice of discharge as laid down in G.C., P.&.S.D. No.1581/34,dated the 9th August 1947. If he is not entitled to such a notice he should be discharged immediately. If he is entitled to a notice, it is presumed that he had already been served with a notice to the effect that he should be discharged from the 1st August 1953.

2. A very early reply is requested.

Yours faithfully,

Sd/-

Assistant Secretary to Government,
Legal Department.

M.R.D.
4-8-56
C.4

No. 14471/C
Legal Department,

Bombay Castle, 7th July 1953.

Memorandum.

The undersigned presents compliments to the Deputy Secretary to the Government of Bombay, Finance Department and in continuation of Government Resolution, Legal Department No. 14408/C, dated the 6th July 1953, is directed to state that the question regarding the retrenchment of the post of the peon attached to the Establishment Officer in the Charity Commissioner's Office is being separately considered and the necessary report will be made to him as early as possible.

By order and in the name of the Governor of Bombay,

Sd/-

Assistant Secretary to Government,
Legal Department.

To

The Deputy Secretary to the Government of Bombay,
Finance Department.

M.R.D.
4-8-56
C.4

IMMEDIATE.

No. 3135 of 1953
Office of the Charity Commissioner,
Bank of India Building, 4th Floor,
Flora Fountain, Fort, Bombay No.1.
6th July 1953.

From:-
Shri D.R.Pradhan, I.C.S.,J.P.,
Charity Commissioner, Bombay.

To
The Secretary to Government,
Legal Department, BOMBAY.

Subject:- Continuance of temporary posts in the Chairty Commissioner's Office and in the public Trusts Registration Offices.

Sir,

Reference Government letter, Legal Department, No. 13276/C, dated 19-6-1953 and this office letter No. 2831, dated 20-6-1953.

2. I have the honour to state that it is not possible to furnish the statistical data of the volume of work done in this office and the public Trusts Registration Offices for the two months when the temporary posts were initially sanctioned in January 1952 as no worksheets were being then maintained. The system of maintaining worksheets was, however, introduced in the month of June 1952 and the requisite data for the months of July and August 1952 has been collected and indicated in the succeeding paragraphs. I must state here that the nature of work done in the months of July and August 1952 was quite distinct and different from that of the work done in the months of February and March 1953 and it appears that they would not stand comparison with each other. Till the end of August 1952, the regional offices were mainly doing preliminary work such as sorting and scrutiny of applications for registration and giving replies to the queries from the public etc. The inquiry work under Secs. 18 and 28 of the

P.T.O.

Bombay Public Trusts Act, 1950, started from the end of August 1952 and since then the nature of work has entirely changed. In order to cope with the heavy work of registration, Government was pleased to strengthen the staff of the six public Trusts Registration Offices to the extent indicated below:

| Name of the Region | No. of Junior Clerks sanctioned. |
|---|---|
| P.T.R.Office, Greater Bombay Region, Bombay. ..... | 4 Clerks |
| PTR.Office, Ahmedabad ..... | 2 Clerks |
| P.T.R.Office, Baroad ..... | 2 Clerks. |
| PT.R.Office, Poona ..... | 2 Clerks. |
| P.T.R.Office, Kolhapur ..... | 2 Clerks |
| P.T.R.Office, Belgaum ..... | 2 Clerks. |

These fouteen posts of Junior Clerks have been sanctioned in Government Memorandum, Legal Department, No.19372/C, dated 25-11-1952, on a temporary basis for a period of nine months from the date of their respective appointments.

3. Charity Commissioner's Office-

(a)Judicial Branch:- Although two temporary junior clerks were sanctioned for this branch, only one junior clerk was attached to it in the months of July-August 1952, and the second junior clerk was diverted to the establishment branch. However, since the beginning of January 1953, the work relating to applications under Sections 35,36,51 and 55 of the Act and to the appeals has increased considerably and hence the second junior clerk had to be restored to the judicial branch. In the months of July and August 1952, the junior clerk from this branch had disposed of 131 and 100 cases respectively. These cases related to applications under the above referred to sections and other miscellaneous applications.

(b) Accounts branch:-

Junior Clerk (1)- In the months of July and August 1952, the clerk had disposed of 7 and 81 cases respectively. These cases were in respect of monthly statements of expenditure and P.T.A. Fund balances in the six P.T.R.Officers. In these two months, he had to prepare 2 travelling allowance bills, 13 pay bills and 5 contingent bill bills and scrutiny of 4 travelling allowance bills of the Regional Offices.

Junior Clerks (2)&(3)- During the two months of July and August 1952, the two junior clerks had received and disposed of in all 105 and 82 cases respectively. They also attended to the following work relating to charitable endowments. :-

1) 79 Interest payments to administrators.

ii) Preparation of equal of forwarding letters for the above payments with equal number of office copies.

iii)53 cheques were wirtten in hand and issued to the administrators.

(c) Establishment branch :-

As indicated above, one junior clerk from the judicial branch was attached to this branch till the end of December 1952.

Junior Clerk(1)- During the two months of July and August 1952, he disposed of 329 cases relating to routine establishment matters and preparation of indents of forms, stationary and uniforms, etc.

Junior Clerk (2):- He disposed of 195 cases(95 in July and 100 in August) during the two months of July and August 1952. He was dealing with routine correspondence and maintaining casual leave register and was in charge of gazettes, law reports, books and publications, etc.

Junior clerk(3) - He was doing inward work and had inwarded 1175 references in the months of July and August 1952.

P.T.O.

Junior clerk (40- He was entrusted with the outward and despatch work. He had despatched 844 letters and references and had to write the names in hand on all the envelopes. He maintained the stamp account also.

Since January 1953, the inward and outward work has been entrusted to one junior clerk only.

4. Public Trusts Registration Office, Greater Bombay Region, Bombay:- The temporary post of Insector was filled on 24th December 1952 as the work had considerably increased and as it was found that the same could not be attended by two Inspectors. The quantum of work done by the two Insectors in the months of July and August 1952 is indicated below:

Insector(1) - Working days 41-.

Notices prepared 225, letters prepared 200, entered applications in the provisional register of applications 229, parties attended 52, scanned through 525 applications for registration in connection with - information regarding gross annual income of all public trusts.

Inspector (2)- Working days 37-

Made entries in the Register of Public Trusts in respect of 10 trusts, applications scrutinised 42, notices prepared 112, attended to parties & classified 724 applications for registration for information - regarding gross annual income of public trusts.

The quantum of work done by the two temporary junior rks during the two months of july and August 1952 is indicated below:

Junior clerk (1)- Working days 46.

Applications scrutinised 129, notices prepared 536, parties attended 29, typed 112 letters, classified 1061 applications and maintained court fee stamp account.

Junior clerk (2)- Working days 48.

Scrutinished applications 28, notices prepared 205, parties attended 15 and classified 917 applications for registration He attended to the work of preparing board and Rozanamas of the inquriesx held in the month of August 1952.

The figures of inward and outward references dealt with during the months of July and August 1952. were 1139 and 2525 respectively; where as during the months of February and March 1953, the inward and outward references dealt with were 1163 and 4772 respectively.

I may add here that in the P.T.R. Office, Greater Bombay Region Office, the Deputy nd Assistant Charity Commissioners have completed 4523 inquiries in respect of applicatcns under Sections 18 and 28 of the Bombay Public Trusts Act till 31st May 1953 and the number of applications pending on that day is 2565.

P.T.R.Office, Poona-

5. The temporary post of Insector was filled in with effect from 3rd July 1952 and during the 49 working days in the two months of July and August 1952, this Insector had done the following work:-

| | | |
|---|---|---|
| i) | No. of letters and queries received and disposed of .... | 121. |
| ii) | Entered applications for registrations in the register ..... | 8. |
| | Entered miscellaneious applications in the register | 22. |
| iii) | No. of applications issued to trustees | 34 |
| ~~iv)~~ | ~~No. of cases in which Roganamas were written and entered in the memo book~~ | ~~125~~ |

iv) No. of cases in which Rozanamas were written and entered in the memo book. 125.

v) No. of summonses to assessors ... 15

During this period the other two Inspectors issued notices in 125 applications to 240 trustees, registered 1000 applications in the Register of Inquiries, scrutinished 428 applications and did the sorting work of applications.

Till 31st of May 1953, the Asstt, Charity Commissioner, Poona, has completed 1883 inquiries in respect of applications under Sections 18 and 28 and the number of application pending was 2933 on that date.

6. P.T.R. Office, Kolhapur:

The temporary junior clerk did the following work during the two months of July and August 1952:

i) Supplied entries of applications in Supplied forms to the applicants .... 162

ii) Made entries of applications in the register of applications ... 510

iii) No. of letters inwarded ... 132

iv) No. of letters outwarded ... 454

With the appointment of two junior clerks since January 1953, the inward and outward work has been transferred to one of these two clerks. The number of letters inwarded and outwarded during the two months of February and March was 657 and 1953 respectively, besides 1431 notices and 190 summonses sent by registered post.

The Asstt. Charity Commissioner, Kolhapur, has completed 2479 inquiries in respect of applications under Secs 18 and 28 till 31-5-53 and 2950 inquiries werexpending with him on that date.

7. P.T.R.Office, Belgaum:

The appointment of the junior clerk was made with effect from 19-4-5-2. He did the following work during the two months of July and August 1952:

i) He

i) He was employed to classify applications for registration on the basis of gross annual income and to sub-classify applications into

(a) trusts for educational and /or medical purposes and (b) others;

ii) He had to prepare notices in cases fixed from 18-8-52 onwards. He prepared notices in 30 cases daily and at the same time entered them into Inquiry Register and the Memo Book and wrote first rozn-mas.

iii)He prepared 104 summonses to assessors.

The Assistant Charity Commissioner, Belgaum, has completed 3596 inquries in respect of applications under Sections 18 and 28 till 31-5-1953 and 7544 inquiries were pending on that date.

8. In view of what is stated in paragraphs 3 to 7 above, it will be clear that the volume of work during the two months in July and August 1952 is not only steady but has increased considerably in the months of February and March 1953. There is, therefore, adequate justification for the continuance of the temporary posts upto 28th February 1954 as proposed in para 11 of this office letter No.3606 dated 3rd June 1953. It is, therefore, requested that the 9 temporary Class III posts and 3 Class IV temporary posts may be continued till 28-2-1954. As regards the 3 Class ~~IV~~ IV posts, these are admissible according to the revised orders of Government issued in Government Resolution, Finance Department, No. 7983/33, dated 20-5-1952. The extra cost involved in the proposal would be met from the sanctioned budget grants during the current financial year as necessary provision for the pay and allowances in respect of these temporary posts has already been made in the budget estimates for 1953-54.

Yours faithfully,
Sd/-

Charity Commissoner,
Bombay. 6-7-53

M.R.D.
6-7-53
C.4

Legal Department.
16340/7/77/1953.

The Charity Commr., Bombay, has now furnished the statistical data of the volume of work done in the Charity Commr's office and the Offices under him for the two months of July and Auguat 1952 in his letter at pages 47 to 53 ante.

2. In the circumstances explained by the Charity Commr. in paras 3 to 7 of his letter dt. 6.7.53, the 9 temporary Class IV posts and the 3 temporary Class IV posts may be continued further upto 28th Feb. 1954. The necessary provision for the pay and allowances in respect of these temporary posts has already been made in the budget estimates for 1953-54.

3. As regards the retrenchment of the post of the peon attached to the Establishment Officer, action is being taken separately. In this connection attention is invited to G.L.L.D.No. 14409/C, dated 6-7-1953. addressed to the Charity Commr., Bombay and G.M.L.D. No. 14471/C, dated 7.7.1953 addressed to the Dy. Secy. F.D.

4. The papers may be shown u.o. to the Finance Department for concurrence. As the present sanction is upto 31-7-1953 only the F.D. may be requested to treat the case as 'very urgent'.

Sd/-
7-9-1953
S.S. Sd/-
7-7-53

E.A.S. Sd/-
7.7

M.R.D.
6-8-56
C.4

U.R.to F.D. No. k4570/C dt-8.7.1953.

Fin.Deptt. III

Submitted with reference to office note dt. 16.6.1953 a.P. 34 ante.

In view of the information now supplied by the Charity Commissioner on P. 47 to 53 ante the proposal made by the Legal Department may be agreed to.

Sd/-
20-7-53

P.T.O.

The expdtr. involved in the proposal, should be met from the sanctioned grants and the exact source should be pointed out in the orders.

Sd/-
21.7.53

It seems that through oversight 9 Cl. IV. posts are mentioned in para 2 of L.D. note overleaf. The L.D. presumably proposes to continue 9 Cl. III posts and 3 class IV posts. That is what has been proposed by the Charity Commr. F.D. may accept the Charity Commr.'s proposal.

Sd/-
22/7/53

Sd/-
22.7.53

U.R. to Legal Department dt. 22.7.1953.

M.R.D.
18-8-56

Temporary Posts:
Continuance of - in the Office of the Charity Commissioner, Bombay and the offices subordinate to him.

GOVERNMENT OF BOMBAY,
Legal Department,
Resolution No. 15886/C,
Bombay Castle, 28th July 1953.

Read Government Resolutions, Legal Department, Nos. 7599, dated the 14th May 1951, 13318, dated the 20th August 1951, 1174/C, dated the 19th January 1953 and 14408/C, dated 6th July 1953.

RESOLUTION:- Government is pleased to direct that the temporary posts referred to in Government Resolution, Legal Department No. 1174/C, dated the 19th January 1953 should be continued for a further period upto 28th February 1954.

2. Necessary provision to meet the charge has been made the currenct year's budget under "25 General Administration -C- Secretariat and Head Quarters Establishment-K-Civil Secretariat -K- 7(a)- Charity Commi sioner-K-7(a)(2)- pay of Establishment" for the staff in the Charity Commissioner's Office and the Greater Bombay Region and under "25 General Administration-K- District Administration-Q- General Establishment-q-1(c)-Regional staff of Charity Commissioner -Q- 1(c)(2)- pay of Establishment" for the staff in the offices of poona, Kolhapur and Belgaum Regions.

By order and in the name of the Governer of Bombay,
Sd/-
S.P.Bhangara,
ASSISTANT SECRETARY TO GOVERNMENT.

To
The Accoutant General Bombay (through the Fiance Department)
The Finance Department,
The Charity Commissioner, Bombay,
The Deputy Charity Commissioner, Greater Bombay Region, Bombay
The Assistant Charity Commissioner, Poona
The Assistant Charity Commissioner, Kolhapur Region, Kolhapur,
The Assistant Charity Commissioner, Belgaum Region, Belgaum.

M.R.D.
6-8-56
C.4